

Agenda

Scheduled Council Meeting
Tuesday 16 July 2024 at 6pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Tuesday 16 July 2024 at 6pm for the transaction of the following business.

This meeting will be held in the Great Hall at Civic Centre, 25 Ferres Boulevard, South Morang and will be [livestreamed via Council's website](#).

C Lloyd
Chief Executive Officer

Administrators

Lydia Wilson Chair of Council

Peita Duncan Administrator

On 19 June 2020 the Acting Minister for Local Government appointed the Panel of Administrators for the City of Whittlesea and appointed Lydia Wilson as Chair of the Panel. The Panel of Administrators comprises of Lydia Wilson, Peita Duncan and Christian Zahra who will undertake the duties of the Council of the City of Whittlesea until the CEO calls the first Council meeting after the October 2024 Local Government Elections.

Senior Officers

Craig Lloyd Chief Executive Officer

Emma Appleton Director Planning & Development

Agata Chmielewski Director Community Wellbeing

Sarah Renner Director Customer & Corporate Services

Debbie Wood Director Infrastructure & Environment

Janine Morgan Executive Manager Public Affairs

Jacinta Stevens Executive Manager Office of Council & CEO

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Note:

At the Chair of Council's discretion, the meeting may be closed to the public in accordance with Section 66(2)(a) of the *Local Government Act 2020*. The provision which is likely to be relied upon to enable closure is set out in each item. These reports are not available for public distribution.

Question Time:

Council will hold public question time for up to 30 minutes at each Scheduled Council Meeting to allow for public questions, petitions or joint letters from our community to be read out by the Chief Executive Officers delegate and responses will be provide by the Chief Executive Officer.

Questions are required to be submitted in writing no later than 12 noon on the day prior to a Scheduled Council Meeting.

Priority will be given to questions or statements that relate to agenda items. Any questions submitted after 12 noon the day prior will be held over to the following Council Meeting.

The Public Question form can be downloaded from Council's website. Refer:
<https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council is committed to ensuring that all residents and ratepayers of the municipality may contribute to Council's democratic process and therefore, if you have special requirements, please telephone the Governance Team prior to any Council Meeting on (03) 9217 2170.

1 Opening

1.1 Meeting Opening and Introductions

The Chair of Council, Lydia Wilson will open the meeting and introduce the Administrators and Chief Executive Officer:

Administrator, Peita Duncan; and
Chief Executive Officer, Craig Lloyd.

The Chief Executive Officer, Craig Lloyd will introduce members of the Executive Leadership Team:

Emma Appleton, Director Planning and Development;
Agata Chmielewski, Director Community Wellbeing;
Sarah Renner, Director Corporate and Customer Services;
Debbie Wood, Director Infrastructure and Environment;
Janine Morgan, Executive Manager Public Affairs; and
Jacinta Stevens, Executive Manager Office of Council and CEO.

1.2 Apologies

Administrator Christian Zahra AM

1.3 Acknowledgement of Traditional Owners Statement

The Chair of Council, Lydia Wilson will read the following statement:

“On behalf of Council, I recognise the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan and Taungurung People as the Traditional Owners of lands within the City of Whittlesea.

I would also like to acknowledge Elders past, present and emerging.”

1.4 Diversity and Good Governance Statement

The Chair of Council, Lydia Wilson will read the following statement:

“At the City of Whittlesea we are proud of our diversity and the many cultures, faiths and beliefs that make up our community. We strive to be an inclusive welcoming City that fosters active participation, wellbeing and connection to each other and this land. We commit as a Council to making informed decisions to benefit the people of the City of Whittlesea now and into the future, to support our community’s vision of A Place For All.”

1.5 Acknowledgements

2 Declarations of Conflict of Interest

3 Confirmation of Minutes of Previous Meeting/s

Recommendation

THAT the following Minutes of the preceding meeting as circulated, be confirmed:

Scheduled Meeting of Council held on 18 June 2024.

4 Public Questions, Petitions and Joint Letters

4.1 Public Question Time

4.2 Petitions

No Petitions

4.3 Joint Letters

No Joint Letters

5 Officers' Reports

5.1 Community Grant Guidelines Update

Director/Executive Manager: Director Customer & Corporate Services

Report Author: Grants Coordinator

In Attendance: Acting Manager ePMO & Change
Grants Coordinator

Executive Summary

This report is to obtain approval from Council to adopt changes to the Community Grant Guidelines for 2024 – 2025 following a period of community consultation.

The updated Guidelines have been re-drafted to meet community needs and feedback. They also ensure governance control measures are in place and aligned to Federal, State and local Government legislation and policies.

There was a total of 16 amendments to the Guidelines which included expanding the following service offerings to community and have included a 'What can be funded' section allowing:

- Venue hire, including Council venue hire; and
- Portable equipment purchases.

In addition, to ensure ongoing accountability and transparency, the proposed changes to the Guidelines explicitly exclude Council staff, Councillors and members of their household or immediate family from applying for grants.

Officers' Recommendation

THAT Council:

- 1. Resolve to adopt the updated Community Grant Guidelines at Attachment 1.**
- 2. Note the appointment of an independent Community member to the Grant Management Steering Committee will be subject to the incoming Council's consideration and future resolution.**

Background / Key Information

In June 2024, it was identified that the Guidelines would require an update coming into the new year to expand service offerings to community and to maintain the transparency in Council decisions when awarding grants.

The new grants framework went live in August 2023 and over the course of the year, the team have delivered at least 10 information sessions and 3 grant writing workshops. At each of these interactions with community, unsolicited feedback is usually received on how the grants could be improved.

As a result of entering a new financial year, combined with community feedback, the proposed changes were drafted and went out for targeted community feedback from 11 June to 25 June 2024.

The request to endorse the progression of an appointment of an independent Community member to the Grant Management Steering Committee is to ensure complete transparency in Council's decision-making through the grants process.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

Connected Communities

We work to foster and inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported.

Liveable Neighbourhoods

Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

Strong Local Economy

Our City is a smart choice for innovation, business growth and industry as well as supporting local businesses to be successful, enabling opportunities for local work and education.

Sustainable Environment

We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change.

High Performing Organisation

We engage effectively with the community, to deliver efficient and effective services and initiatives, and to make decisions in the best interest of our community and deliver value to our community.

Considerations of *Local Government Act (2020)* Principles

Financial Management

The cost is included in the current budget.

Community Consultation and Engagement

Targeted Consultation of the proposed changes were open from 11 June to 25 June 2024 through the Council's on-line Engage platform.

In addition, an eNewsletter was sent through the Grant eNews subscription to approximately 672 subscribers, pointing them to the Engage Platform to view the changes and offer their opinions. Council received feedback from three individuals requesting:

- an increase in the individual grants amount offered from \$1,000 to \$1,800-\$3,500;
- translator services or bilingual City of Whittlesea staff to be available at the Grant Information sessions;
- clarification on regular activities for individual grants; and
- Review of "what won't be funded" in relation to venue hire.

We have contacted individuals, where they have requested someone from Council to contact them to discuss their feedback.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (e) Innovation and continuous improvement is to be pursued.
- (i) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.

Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

The proposed Guidelines include the following "all applications must align with relevant Federal and Victorian State Legislation and Council policies. For example, Child Safety Standards, Fair Access Policy.

Economic

No implications.

Legal, Resource and Strategic Risk Implications

No implications.

Implementation Strategy

Communication

The Community Grants team will be working with the Communications, Community Engagement team and Community Activation teams to publicise the changes and timelines proposed.

Critical Dates

It is proposed that the grants will be taken off-line from date of endorsement 16 July 2024 and will be made live again from 15 August 2024. This will allow the Grants team to update all the forms with the proposed changes and run workshops and information sessions during this period.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. 2024-2025 Community Grant Guidelines [5.1.1 - 24 pages]

City of Whittlesea Draft Community Grants guidelines 2024–2025



Acknowledgement of Traditional Owners

The City of Whittlesea recognises the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan and Taungurung People as the Traditional Owners of lands within the City of Whittlesea.

At the City of Whittlesea we are proud of our diversity and the many cultures, faiths and beliefs that make up our community. We strive to be an inclusive welcoming City that fosters active participation, wellbeing and connection to each other and this land. We commit as a Council to making informed decisions to benefit the people of the City of Whittlesea now and into the future, to support our community's vision of A Place For All.



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Community grants overview

The City of Whittlesea is offering new grants to support individuals, groups and businesses in line with our community vision of **Whittlesea 2040: A place for all** goals:

- Connected community
- Liveable neighbourhoods
- Strong local economy
- Sustainable environment and
- High performing organisation.

The proposed guidelines will open up funding opportunities to a wider range of community groups and localities with funding to be available all year round rather than via programs with specific dates for applications. The key highlights of the new program are:

- the introduction of all year-round grants with approval rounds being conducted on a monthly or quarterly basis
- the introduction of grant categories that will open up funding opportunities to individuals and unincorporated groups
- the introduction of emergency grants to support community organisations and businesses requiring immediate assistance
- a centralised and holistic process for receiving and assessing community grant applications which will ensure we can collect data and can develop outreach/ awareness programs where necessary to ensure funding is shared among a wider range of groups and individuals in the City of Whittlesea

- to ensure funding is fair and equitable, all applicants will need to meet the following eligibility criteria:
 - are located in the City of Whittlesea **or** will deliver a project or event in the City of Whittlesea
 - have no outstanding debts to Council
 - have acquitted all previous Council grants
 - proposed projects or events align to Council 2040 vision
 - all applications must align with relevant Federal and Victorian State Legislation and Council policies. For example, Child Safety Standards, Fair Access Policy.

Council will be honouring and continuing existing agreements and partnerships with groups who are delivering community services.

Council approves the funding for the Community Grants Program annually through a Budget process. Grants will be assessed by officers in accordance with these Guidelines and a recommendation will be made to the Grants Steering Committee for decision. Quarterly reports on the Community Grants Program (including approved allocations) will be provided to Council for noting.



Who is eligible to apply?

The City of Whittlesea is offering grants to individuals, unincorporated groups, not-for-profit groups, incorporated groups, social enterprise and businesses that all meet the following mandatory eligibility requirements;

- are located in the City of Whittlesea **or** will deliver a project or event in the City of Whittlesea
- have no outstanding debts to Council
- have acquitted all previous Council grants
- proposed projects or events align to Council 2040 vision.
- where a staff member is a volunteer of an organisation applying for a grant, the staff member declares a conflict of interest and is completely removed from the grant assessment process.

There are specific requirements per grant type noted further below. The following table provides a summary of the eligible applicants for each grant type.

Who is ineligible to apply?

1. Council staff, Councillors, and members of their household or immediate family are ineligible to apply for all grants.
2. Businesses owned or operated by Council staff or Councillors.
3. Political Organisations
4. Groups and organisations applying with discriminatory views against a person or group's:
 - a) age
 - b) disability
 - c) race, including colour, national or ethnic origin or immigrant status
 - d) sex, pregnancy, marital or relationship status, family responsibilities or breast feeding
 - e) sexual orientation, gender identity or intersex status
 - f) religious beliefs.

| Grant type | Eligible applicants | | | | | |
|-----------------------|---------------------|-----------------------|-----------------|---------------------|-------------------|----------|
| | Individuals | Unincorporated groups | Not-for-profits | Incorporated groups | Social enterprise | Business |
| Unincorporated groups | ✗ | ✓ | ✗ | ✗ | ✗ | ✗ |
| Individual | ✓ | ✓ | ✗ | ✗ | ✗ | ✗ |
| Small | ✗ | ✗ | ✓ | ✓ | ✓ | ✓ |
| Medium | ✗ | ✗ | ✓ | ✓ | ✓ | ✓ |
| Large | ✗ | ✗ | ✓ | ✓ | ✓ | ✓ |
| Emergency grant | ✗ | ✗ | ✓ | ✓ | ✓ | ✓ |

What won't be funded

Council encourages applications from all individuals, groups, organisations and businesses who meet the eligibility requirements of the grant they are applying for. The following are activities, projects or events Council will not fund across all grants:

- 1. Day to day operational expenses**
Applicant's day to day operational expense or core business that are part of the applicant's every day expense (for example, salaries, electricity, lease or rent payments etc).
- 2. Regular activities**
Projects or events that are part of the applicant's regular activity (for example, if an individual applies to support a morning tea for their existing group who meet would also meet for morning tea, this is not a new project or event).
- 3. Building projects, capital works or facility maintenance**
Fixed or permanent equipment, building maintenance or extension, capital improvements (such as heating or cooling systems, shade sails, solar panels, portable buildings etc) or requests to upgrade Council facilities.
- 4. Seek support or assistance from Councillors**
Seeking or lobbying for Councillor input or support will automatically exclude your application.
- 5. Profit and advertise gambling and/or alcohol**
Organisations or Businesses that undertake or promote gambling unless a significant benefit to the community is demonstrated. For example, RSLs can be funded for Anzac Day Dawn Service, however, the RSL will not be funded for a new television in the members lounge to benefit members. *Significant benefit to the community* would need to be demonstrated in your application and reason to support your application.
- 6. More than two approved applications per applicant per grant type per year**
To ensure a fair and equitable distribution of grants, organisations are limited to two applications per year.
- 7. Aupsice organisations supporting more than four other applications**
- 8. Political activities**
- 9. Groups, projects or events that discriminate against a person or group's:**
 - a. age
 - b. disability
 - c. race, including colour, national or ethnic origin or immigrant status
 - d. sex, pregnancy, marital or relationship status, family responsibilities or breast feeding
 - e. sexual orientation, gender identity or intersex status
 - f. religious beliefs.
- 10. Projects or activities that are the responsibility of the State or Federal Government**
Applicants can include State or Federal government funding as co-contribution in their application.
- 11. Catering not integral to the project or event**
Applicants applying for catering not linked to the purpose of the event can not be funded. For example, catering for a group who meet regularly to cover morning tea is not integral, however, community groups meeting to share a meal due to Ramadan or other significant cultural event would be considered integral to the event.
- 12. Fireworks**
- 13. Venue or facility hire over \$1,500**

What can be funded

The list below shows some examples of what can be funded. What can be funded is not limited to these items, as long as the items don't fall under 'What won't be funded' or are ineligible.

1. Venue Hire

Eligible for 30% of the grant amount up to a maximum of \$1,500, whichever amount is lower.

Please note, groups and organisations currently receiving a discounted venue hire rate with Council will be required to choose either the discount rate or full price with the grant.

2. Facilitator or Presenter Fees

3. Portable Equipment – not fixed or permanent

Purchases for equipment are eligible for 50% up to \$5,000, whichever amount is lower.

For example: if you apply for a \$20,000 grant, you may be approved for a maximum of 50% of the equipment requested, up to \$5,000 (whichever amount is lower). If your application includes equipment that is \$15,000 you may be funded up to \$5,000 of the purchase price. Or if you apply for a medium grant and you have applied for a trailer that is \$7,000, your grant would only cover \$3,500 of the purchase price.

4. Events

5. Project Materials

6. Advertising and Printing

7. Entertainment and Artist fees and hire

8. Pilot for new projects or services

****Key Tip – Grants are not for ongoing operational expenses****



When is funding available?

To ensure community are supported all year round, the timing for each of the grant types below will allow time to deliver these grants and ensure community have the opportunity to apply for grants specific to their needs.

The following table provides a summary of the grant type, maximum amount per grant available, timing of when these grants are offered and the opening and closing dates.

| Grant type | Maximum amount | Timing | Open date | Close date |
|------------------------------|----------------|-----------|------------------------------------|--|
| Individual | \$1,000 | Monthly | 14th each month | 14th following month |
| Small | \$3,000 | Monthly | 14th each month | 14th following month |
| Medium | \$20,000 | Quarterly | Q1 – 1 January | Q1 – 31 March |
| Large | \$40,000 | Quarterly | Q2 – 1 April Q3 – 1 July | Q2 – 30 June Q3 – 30 September |
| Unincorporated groups | \$1,000 | Quarterly | Q4 – 1 October | Q4 – 31 December |
| Emergency grant | | | On needs basis | |

For example:

To allow you enough time to plan an event, we encourage you to apply at least six months in advance. Once the quarter is closed, it will go through the assessment process and you will be notified on the outcome approximately 6 weeks after you apply. You would commence your project or event by the end of December. Your acquittal will be due in the following quarter.

Auspices

An auspice organisation is an incorporated organisation that can receive and manage a group's grant money on their behalf. The auspice organisation will sign the 'Conditions of Grant' agreement and will take responsibility of the expenditure of funds make sure the project or event is successfully completed or delivered.

- 1) Auspice organisation name and ABN
- 2) Applicant name
- 3) Grant type
- 4) Project or event name
- 5) Grant amount applied for and
- 6) Signed by the correct delegate in the auspice organisation.

The auspice group or organisation will be required to meet all eligibility requirements for the grant and co-contribution requirements explained further in the small, medium and large grants. If the application is approved for funding, the auspice will be required to sign the Conditions of Grant to agree to manage the grant funds and accept legal accountability for the funds ensuring the funds are spent for the purpose of the grant. The auspice will also be required to meet all reporting requirements.

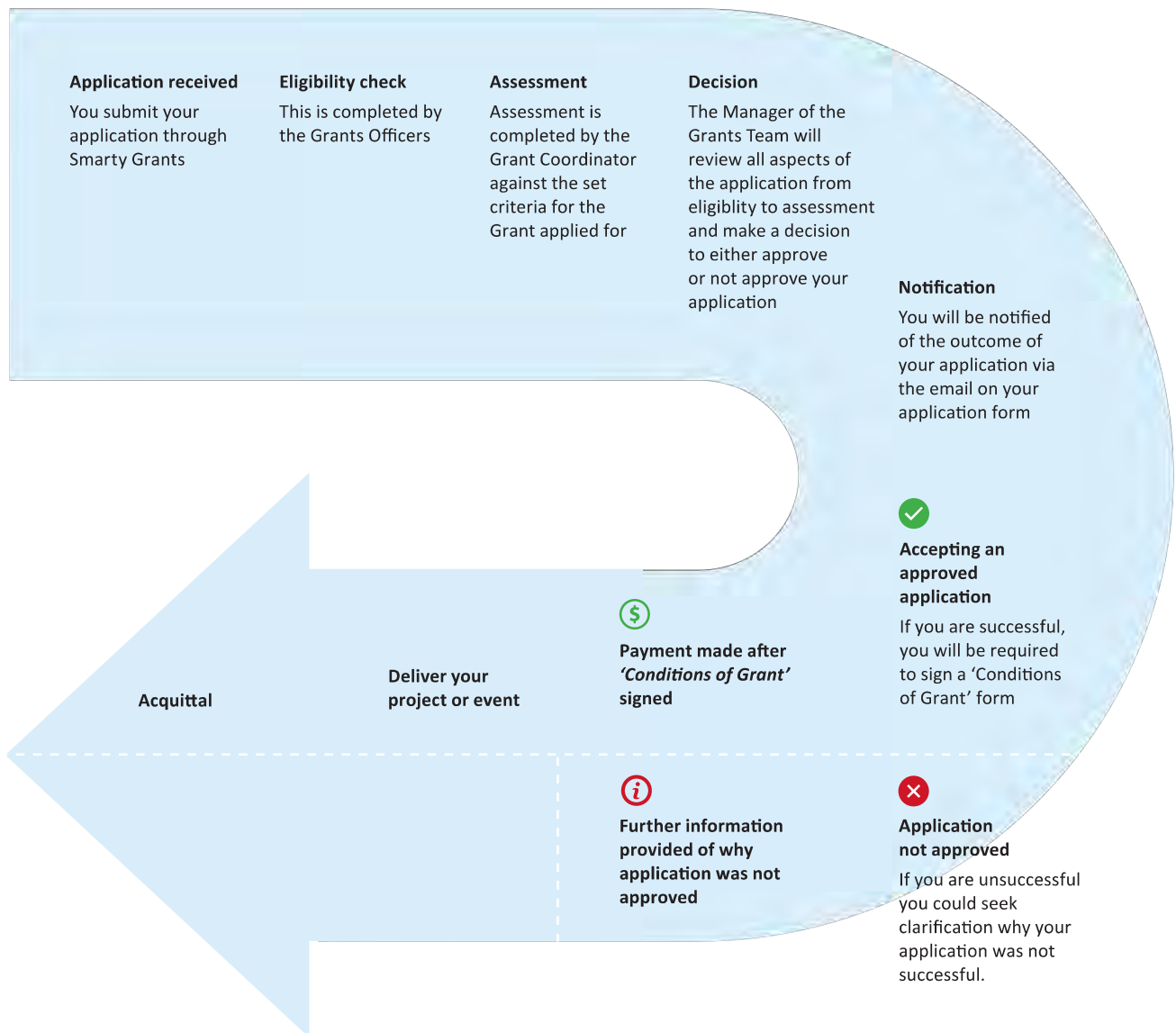
An auspice organisation is limited to auspice a maximum of four other applicants throughout the year.



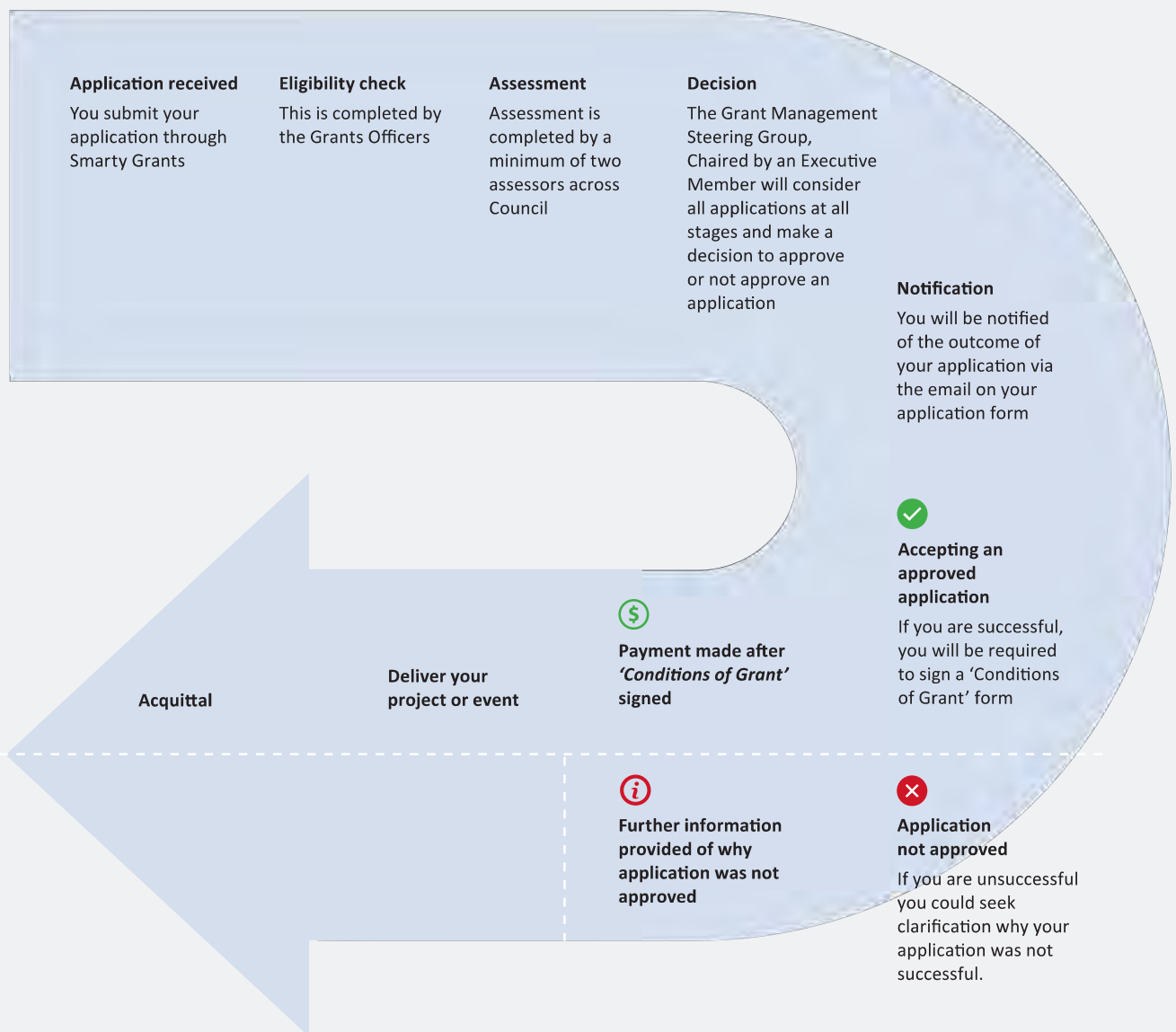
Grants application process summary

To ensure there is fair consideration for all applications, the following process shows what happens after you submit your application for the grant.

Individual, unincorporated groups, emergency grants and small grants application process



Medium and large grants



How do I apply

All applications for our grants will be on-line through SmartyGrants. You will require an email address to apply for the grants. This email address will be the main form of communication for any details regarding your application, conditions of grant, grant variations and acquittal.

Navigating (moving through) the application form

On every screen (page of the form) you will find a Form Navigation contents box, this links directly to every page of the application. Click the link to jump directly to the page you want.

You can also click 'next page' or 'previous page' on the top or bottom of each page to move forward or backward through the application.

Saving your draft application

If you wish to leave a partially completed application, press 'save and close' and log out. When you log back in and click on the 'My Submissions' link at the top of the screen, you will find a list of any applications you have started or submitted. You can reopen your draft application and start where you left off.

You can also download any application, whether draft or completed, as a PDF. Click on the 'Download PDF' button located at the bottom of the last page of the application form.

“We see a lot of great applications come through and unfortunately are made ineligible due to not attaching the required or supporting documents with their applications.”

Submitting your application

You will find a **Review and submit** button at the bottom of the Navigation Panel. You need to review your application before you can submit it.

Once you have reviewed your application you can submit it by clicking on 'Submit' at the top or bottom of the screen or on the navigation panel. You will not be able to submit your application until all the compulsory questions are completed and there are no validation errors.

Once you have submitted your application, no further editing or uploading of support materials is possible.

When you submit your application, you will receive a confirmation email with a copy of your submitted application attached. This will be sent to the email you used to register.

If you do not receive a confirmation of submission email then you should presume that your submission has NOT been submitted.

Hint: also check the email hasn't landed in your spam or junk email folder.

Attachments and support documents

You may need to upload/submit attachments to support your application. This is very simple, but requires you to have the documents saved on your computer, or on a storage device.

You need to allow enough time for each file to upload before trying to attach another file. Files can be up to 25MB each; however, we do recommend trying to keep files to a maximum of 5MB – the larger the file, the longer the upload time.

Completing an application in a group/team

A number of people can work on an application using the same log in details as long as only one person is working at a time. Ensure you save as you go.

| Individual grants | |
|-----------------------------|--|
| Eligibility | <ul style="list-style-type: none"> All applicants must apply two months prior to enable a solid month to process. For example, if you require the grant for attendance to a leadership workshop in October, you must apply by August. No grant will be funded retrospectively. One application per individual Parents/guardians apply for those under 18 years old <p>Arts and culture</p> <ul style="list-style-type: none"> Creative performers, artists <p>Community leadership</p> <ul style="list-style-type: none"> Attending leadership development opportunities to support their community <p>Sports and recreation competitions</p> <ul style="list-style-type: none"> Individuals 25yo or younger (parents/guardians apply for those under 18 years old) <p>Sustainable environment initiatives</p> <ul style="list-style-type: none"> All individuals. Under 18 years old must have a parent/guardian apply on their behalf |
| Grant amount | \$1,000 |
| Timing frequency | Monthly |
| Eligible items | <ul style="list-style-type: none"> Registration fees Course fees delivered by a Registered Training Organisation Travel and accommodation – up to \$500 per application Clothing or uniforms Materials and equipment |
| What won't be funded | <ul style="list-style-type: none"> Computer equipment School, TAFE or Uni fees |
| Supporting documents | <p>It is essential for your application to have supporting documents as priority will be given to applicants with all supporting documentation. In addition, Council staff will contact third parties to verify details of your application where required</p> <p>Arts and culture</p> <ul style="list-style-type: none"> Artist's CV and/ or Evidence of the opportunity relevant to their art or cultural practice <p>Community leadership</p> <ul style="list-style-type: none"> A demonstrated history of volunteering, participation and taking leadership in the community/ community group Evidence of the leadership development opportunities to support their community Courses that are delivered by a Registered Training Organisation <p>Sports and recreation competitions</p> <ul style="list-style-type: none"> Evidence of financial need (e.g. Health care card holder) Evidence of selection in the event/competition The list of costs to participate <p>Sustainable environment initiatives</p> <p>In line with the Sustainable environment vision, the applicant must complete:</p> <ul style="list-style-type: none"> A project plan of the initiative they want to achieve Clear objectives of the plan Impact of the initiative List of costs |

| Unincorporated group grants | |
|------------------------------------|---|
| Eligibility | <ul style="list-style-type: none"> • The group has been meeting on a regular basis for at least six months at the time of application • The group has a minimum of six members • A minimum of 50% of members reside in the City of Whittlesea • The group is established in the City of Whittlesea • The group has Rules of Association of a Statement of Purpose or a Mission Statement • Unincorporated groups can only apply once for this grant |
| Grant amount | \$1,000 |
| Timing frequency | Quarterly |
| Eligible items | <ul style="list-style-type: none"> • Public Liability Insurance to cover organisation/group • Incorporation costs • Materials and equipment to support organisation set-up • Group promotion and member recruitment • Costs for regular meeting venues • Costs to set up a webpage • Facilitators to support development of strategic plans, governance systems • Costs for activities associated with starting up a social/business enterprise |
| What won't be funded | <ul style="list-style-type: none"> • Groups of a political nature • Groups already incorporated • Incomplete applications • Costs for meeting venues that are located in a place promoting gambling and serve alcohol |
| Supporting documents | <ul style="list-style-type: none"> • Quotes for costs associated with setting up your group • A business plan showing the proposed start up social/business enterprise • Evidence supporting your proposed business plan or project could include (but not be limited to) minutes of a meeting confirming proposed move to start up social/business enterprise |

| Emergency grants | |
|-----------------------------|---|
| Eligibility | <ul style="list-style-type: none"> Not-for-profit community groups, incorporated organisations, social enterprises and businesses |
| Grant amount | \$1,000 |
| Timing frequency | As received |
| Eligible items | <ul style="list-style-type: none"> Reduce financial impact of emergency and unforeseen events Enable eligible applicants to continue to operate or quickly return to normal operations |
| What won't be funded | <ul style="list-style-type: none"> Emergency initiatives already delivered in community by other key community organisations or the State Insurance excess for covered event |
| Supporting documents | <ul style="list-style-type: none"> Quotes Evidence of current financial status Other documents relevant to the proposed emergency project or activity |
| Assessment | <ul style="list-style-type: none"> Impact on the normal operations of the applicant Applicants need to show evidence of how the event occurred and its detrimental effect on normal operations Financial hardship or risk the fee will create for the applicant Applicants need to describe how the fees incurred due to the emergency event will create financial hardship or risk. Applicants will need to provide evidence of their financial status by means of bank statements, proof of loss, recent copy of financial accounts or letter of current standing from a financial accounts How the community will be impacted if normal operations are interrupted Applicants need to describe how their normal services/activities help their local community |





Small, medium and large grants

The small, medium and large grants offer supports to social enterprises, not-for-profit community groups, organisations and businesses to undertake activities that have a broad community benefit.

Eligible applicants are encouraged to apply for grants to deliver projects and events that have a broad community benefit in line with Whittlesea 2040 vision:

- Connected Community through:
 - a. social cohesion
 - b. physical activity
 - c. safety in public areas and
 - d. civic participation
- Liveable Neighbourhoods:
 - a. use of town centres
 - b. access to services and facilities
- Strong Local Economy:
 - a. increased local employment
 - b. education opportunities for all
 - c. successful and innovative local businesses
- Sustainable Environment:
 - a. valued natural landscapes and biodiversity
 - b. climate ready
 - c. leaders in clean, sustainable living.

All small, medium and large grants have three sub-categories:

- **Council programs**

Council will offer programs as a result of identified need in community through the Community Plan Action Plan and Council's 2040 Goals.
- **Projects**

Community groups, social enterprises and businesses have the opportunity to apply for grants to deliver projects that meet any of the Whittlesea 2040 vision noted above.
- **Events and or festivals**

To celebrate our diverse community eligible applicants are encouraged to apply to run events or festivals that celebrate who you represent in the City of Whittlesea. Applications for events must ensure it meets all the festival and events requirements including:

 - a. traffic management strategy
 - b. health and safety considerations and permits where applicable
 - c. risk management strategy
 - d. communications and/or media plan.

Eligibility

Across all small, medium and large grants, the following are eligible:

- be a registered not-for-profit classified by the Australian Tax Office
- incorporated groups
- social enterprise and
- businesses
- have an Australian Business Number (ABN) or qualify to submit a Statement by Supplier
- hold current public liability insurances appropriate to the proposed project or event
- provide all supporting documentation to support your application
- provide legitimate quotes showing ABN from potential supplier for items \$500 or more
- applicants must apply six months in advance for their proposed event to ensure it meets all requirements for the Festival and Events approval. Events applied for must be delivered in the following quarter. For example, an applicant has an event in August. The application must be submitted by end of April quarter.

Co-contributions

To enable equitable distribution and consideration for all groups who are applying for these grants the following requirements for co-contribution is mandatory for all applicants as follows:

1. Not-for-profits

Any not-for-profit groups or not-for-profit organisations agreeing to auspice an application, with an annual turnover or gross income of \$300,000 or more per year, must match the grant amount applied for dollar for dollar. This can be in the form of:

- a. cash contributions
- b. grants from other funding bodies
- c. in-kind support (venue, donated goods, services)
- d. volunteer hours.

2. Businesses

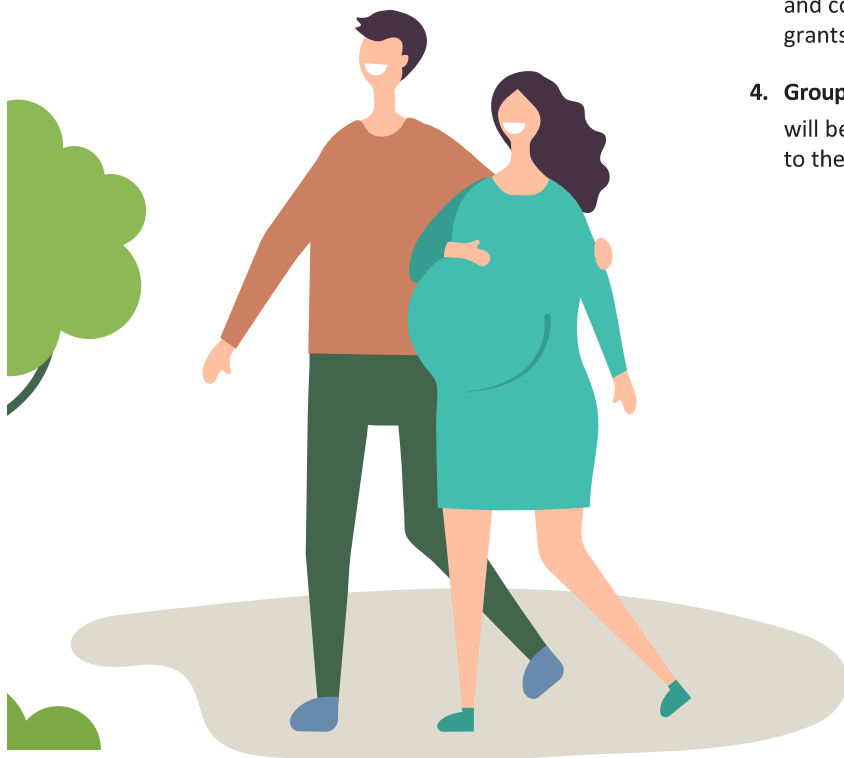
Businesses that apply or auspice other applicants for grants must invest and match the same amount of funding they are applying for dollar for dollar.

For example, if an event company agrees to auspice a not-for-profit group, then the auspice agency or business with a commercial gain must agree to match the funding amount requested by the not-for-profit group dollar for dollar.

3. Auspice organisations

Any organisations that agree to auspice an organisation will be required to meet the eligibility and co-contribution requirements for each of the grants in this category.

4. **Groups that do not include a profit or loss statement** will be required to meet co-contributions according to their entity type.



What can be funded

The list below shows some examples of what can be funded. What can be funded is not limited to these items, as long as the items don't fall under 'What won't be funded' or are ineligible:

- **venue hire**

Eligible for up to a maximum 30% of the grant amount up to a maximum of \$1,500.

Please note, groups and organisations currently receiving a discounted venue hire rate with Council will be required to choose either the discount rate or full price with the grant.

- **events**

- **facilitator or presenter fees**

- **entertainment and artists fees and hire**

- **project materials**

- **advertising and printing**

- **pilot for new projects or services**

- **portable equipment – not fixed or permanent**

Purchase for equipment are eligible for 50% up to \$5,000, whichever amount is lower.

For example: For a \$20,000 grant, you may be approved for a maximum of 50% of the equipment requested, up to \$5,000 (whichever amount is lower).

If your application includes equipment that is \$15,000 you may be funded up to \$5,000 of the purchase price.

Or if you apply for a medium grant and you have applied for a trailer that is \$7,000, your grant would only cover \$3,500 of the purchase price.

What won't be funded

In addition to the items on page six, the small, medium and large grants include the following of what won't be funded:

- individuals
- Council staff and Councillors that apply for their own business
- projects, activities or events that are political in nature
- gifts vouchers, gifts, prizes, trophies, scholarships, donations, other grant programs
- projects already completed or committed to prior to submitting an application
- projects already underway
- activities or events that do not comply with relevant government orders of the day
- travel or accommodation
- fireworks on Council land
- events, activities or projects that are not open to the public or where access is restricted.



Mandatory conditions

To ensure fair and equitable consideration towards all applications submitted, **all grant types** will have the following **mandatory** conditions included:

1. Declaration of Conflict of Interest

All grants are open to all residents within the City of Whittlesea including Council staff. To ensure fairness and transparency a Declaration of a Conflict of Interest must be completed by all applicants who are affiliated with Council with any of the following roles:

- a. Councillors
- b. Council staff
- c. volunteer
- d. appointed to committee or working group
- e. contractor or consultant.

Failure to disclose your affiliations and subsequent completion of the Conflict of Interest section in your application, will result in your individual or group, organisation or business application being deemed **'Unsuccessful'** due to not disclosing your Conflict of Interest'.

2. Acknowledge Council support

All grant recipients are required to acknowledge Council for their support as follows in website, social media post, speeches or radio advertisements:

- a. **Individual grants and unincorporated group grants and small grants** (up to \$3,000)
Acceptable acknowledgement for recipients of these grants may include any of the following:
 - (i) Verbal
"Thank you to the City of Whittlesea for their support through the **Individual Grants/Unincorporated Group** Program"
 - (ii) Tagging the City of Whittlesea on social media platforms.
- b. **Small, medium and large grants**
Use of Council logo and a more formal acknowledgement is required for any Programs/ Projects or Events supported through these Grants.

Events and Festivals will be required to include the City of Whittlesea logo provided by the Communications team upon approval and or adherence to placement of the logo on communication and advertising material.

If your application for a grant is successful, you will be expected to sign a Funding Agreement that will include a Schedule of Requirements including acknowledge Council's contribution. You will be connected to Council's Public Affairs Department for logo and branding requirements and advice.

3. Co-contribution

Co-contribution will be required for **small, medium and large grant categories only** with the following requirements per entity type:

a. Not-for-profits

Any not-for-profit groups or not-for-profit organisations agreeing to auspice an application, with an annual turnover or gross income of \$300,000 or more per year, must match the grant amount applied for dollar for dollar. This can be in the form of:

- i. cash contributions
- ii. grants from other funding bodies
- iii. in-kind support (venue, donated goods, services)
- iv. volunteer hours.

b. Businesses

Businesses that apply or auspice other applicants for grants must invest and match the same amount of funding they are applying for dollar for dollar. For example, if an event company agrees to auspice a not-for-profit group, then the auspice agency or business with a commercial gain must agree to match the funding amount requested by the not-for-profit group dollar for dollar.

4. Acquittals summary

Council values the impact grants can have on an individual, community group, organisation or business and has an acquittal approach that reflects grants issued. Acquittals must be completed to:

- capture the great initiatives delivered across City of Whittlesea through grants
- be sure successful grant recipients use the grants for the intended purpose they applied for
- realise the benefits on the impact of the project or event
- to recover any unspent funds.

5. Consent

Through the application process, Council will seek consent to contact third parties noted in your application in order to verify details of your application where required.

To facilitate delivering all year grants that are open and competitive, if consent is not provided at the application stage and we cannot verify information on your application, therefore causing a delay in processing your application, priority will be given to applicants who have provided all information and consent to liaise with third parties.

Contact with third parties noted in your application will be to verify only details specific to your application for the grant, where applicable.



Supporting documents minimum requirements

It is essential for your application to have supporting documents as priority will be given to applicants with all supporting documentation.

Letters of support

Any letter of support you provide must have the following details:

- provided on letterhead or email from supporting group
- acknowledgement of the support for your:
 - group name
 - grant type you are applying for
- the reason they support your grant
- signed off by the authorised contact of the support group or organisation.

Quotes

Any quotes submitted with the application form must include at a minimum:

- ABN details of the organisation or company providing the quote
- an itemised break-down of what is included and costs
- screen shots of online quotes with the website address included in the screen shot and name of business.







Council Offices

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Website whittlesea.vic.gov.au

Postal address

City of Whittlesea
Locked Bag 1
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Phone: 9217 2170

National Relay Service: 133 677
(ask for 9217 2170)

Connect with us in your
preferred language:

Free telephone interpreter service
 **131 450**

5.2 485 Cooper Street Epping Development Plan

Director/Executive Manager: Director Planning & Development

Report Author: Coordinator Strategic Land Use Planning

In Attendance: Strategic Planner

Executive Summary

The purpose of this report is to discuss the assessment and exhibition outcomes of the *485 Cooper Street Epping Development Plan* (the *Development Plan*). The *Development Plan* affects a greenfield site that includes a section of Merri Creek that will form part of the *marram baba* Parklands.

The proponent for the *Development Plan* is GPT Group, a property trust that proposes to develop the site for industrial purposes.

The assessment of the *Development Plan* has required consideration of flora and fauna, Aboriginal cultural heritage, geotechnical issues including land contamination, the interface to and incorporation of *marram baba* Parklands, stormwater management, and a landscape strategy for the site which includes tree retention and the incorporation of existing natural features.

One of the significant challenges in assessing the *Development Plan* arose from the proponent's intention to develop large floor-plate warehouses on a site that has significant conservation values, including patches of ecological communities protected by the *Environment Protection and Biodiversity Conservation Act* (EPBC Act).

The non-statutory exhibition of the *Development Plan* in March-April 2024 resulted in submissions from both the Department of Environment Energy and Climate Action (DEECA) and Merri Creek Management Committee (MCMC) stating that the proposal has not adequately explored opportunities to avoid and minimise impacts to native vegetation and the habitat of threatened species. The exhibited *Development Plan* demonstrated a significant impact to ecological communities, with both agencies recommending that retention of a patch of the critically endangered Natural Temperate Grassland of the Victorian Volcanic Plain in the south-eastern corner of the site (Patch A) as a congruous area with *galada tamboore* Grasslands would improve the response to avoidance.

Following exhibition, extensive negotiation with the proponent resulted in changes to the *Development Plan* to achieve better alignment with the requirements of Clause 43.04 Schedule 33 of the Development Plan Overlay (Cooper Street Southwest Employment Area) and Victoria's regulations for the Removal and Lopping of Native Vegetation.

These changes are reflected in the version of the *Development Plan* at Attachment 1, and achieve the following:

- additional native vegetation (Patch A - Natural Temperate Grassland of the Victorian Volcanic Plain) retained at the interface with *galada tamboore* Grasslands;
- strengthened design guidance in relation to the interface with Merri Creek and the retention of native vegetation in the Merri Creek corridor (*marram baba*);
- removal of development staging numbers from the Development Plan at Figure 5 of the *Development Plan* report; and
- key recommendations of the background documents summarised in the *Development Plan* report to assist future planning permit assessment.

As such, the officer recommendation is that Council approve the *485 Cooper Street Epping Development Plan* as detailed at Attachment 1.

Officers' Recommendation

THAT Council:

1. Note the *485 Cooper Street Epping Development Plan* as detailed in Attachment 1, and the exhibition outcomes detailed in this report.
2. Approve the *485 Cooper Street Epping Development Plan* as detailed in Attachment 1.
3. Notify the proponent and submitters of Council's decision.

Background / Key Information

Site Context

The subject land is 485 Cooper Street Epping, a 35.34-hectare land-locked site south of Cooper Street, west of the Hume Freeway, north of *galada tamboore* Grasslands, and incorporating Merri Creek along its western boundary. Refer to Attachment 2 for the Site Context Plans.

The subject site is the last of the lots within the Cooper Street Southwest Employment Area precinct to undergo Development Plan assessment. Planning policy places the precinct within the Cooper Street Employment Area, which has an emphasis on the food industry, freight, logistics, office, research and development, high technology, manufacturing, and industrial uses.

Access to the site is currently available via an unsealed accessway which enters the site at the north-east corner and extends north along the edge of the Hume Freeway (via a carriageway easement) to Cooper Street. Ultimate access to the site will be via the extension of McKellar Way through the site to the north (481 Cooper Street) to connect to the subject land. The site to the north does not have a planning permit for development at time of writing. As such, development of the subject site is contingent upon the approval of a development plan under Clause 43.04, Schedule 33 of the Whittlesea Planning Scheme, the availability of public road access to the north (the construction of McKellar Way in 481 Cooper Street), and an approved planning permit for use/development.

The site is currently vacant and has been used as a quarry in the past. There are two quarry voids in the northern section of the site that intermittently hold water. The site is proximate to Cooper Street Grassland Nature Conservation Reserve, *galada tamboore* Grasslands, and the ecological communities detected on the site include native grassland, and escarpment shrubland. Canopy vegetation on the site is limited, however, indigenous trees identified on the site include Lightwood and River Red Gums. Planted native vegetation includes River Red Gums and Sugar Gums.

Patches of grassland/shrubland vegetation were detected across the site as part of the *Development Plan* assessment, in 28 largely disjunct areas. Six of the patches were found to contain EPBC Act listed communities. The EPBC Act protects threatened species and ecological communities that are considered to be of national conservation significance. Refer to Attachment 3 for the map of identified native vegetation.

Planning Context

The site is zoned Industrial 1 (Clause 33.01 of the Whittlesea Planning Scheme) and is affected by the Development Plan Overlay (Clause 43.04 of the Whittlesea Planning Scheme), Schedule 33, which is the Cooper Street South-West Employment Area.

The creek line within the site is affected by the Land Subject to Inundation Overlay (Clause 44.04 of the Whittlesea Planning Scheme), and a small section of the land in the north-west corner is zoned Urban Floodway Zone (Clause 37.03 of the Whittlesea Planning Scheme). A section of the land along the Merri Creek is within the Environmental Significance Overlay (Clause 42.01 of the Whittlesea Planning Scheme), Schedule 3 which is Merri Creek and Environs. The decision guidelines of the Environmental Significance Overlay Schedule 3 (ESO3) require consideration of the views of Merri Creek Management Committee (MCMC) in applications to develop land affected by the overlay. As such, MCMC was notified of the *Development Plan* proposal.

The site is affected by overlays relating to amenity impacts from the Hume Freeway and the operations of Melbourne Airport. The Melbourne Airport Environs Overlay (Clause 45.08 of the Whittlesea Planning Scheme), Schedule 2 affects the southern half of the site, and the eastern edge of the site is subject to the Design and Development Overlay (Clause 43.02 of the Whittlesea Planning Scheme), Schedule 2 (Hume Freeway – Metropolitan Ring Road to North of Craigieburn).

The property is also in an area of Aboriginal Cultural Heritage Sensitivity.

The Development Plan Overlay Schedule 33 (DPO33) lists Development Plan requirements, including:

- A Stormwater Management Plan and Drainage Strategy prepared to the satisfaction of Melbourne Water, which incorporates Water Sensitive Urban Design principles, and which provides for the protection of natural systems, integration of stormwater treatment into the landscape, protection of water quality, and reduction of run-off and peak flows.
- A Landscape Concept Plan, prepared in consultation with the Department of Energy, Environment, and Climate Action (DEECA), which incorporates any trees to be retained, street tree planting, details of the interface treatment with Merri Creek and *galada tamboore* Grasslands, and the incorporation of existing natural features of the site into street layout and landscape design responses, with consideration given to setback distances, fencing, access, species selection and fire management needs.

DPO33 does not specify any referral requirements to agencies, however the technical submissions listed above mean that approval of the Stormwater Management Plan and Drainage Strategy from Melbourne Water and confirmation that the Landscape Concept Plan has been prepared in consultation with DEECA are required before a decision can be made on the *Development Plan*.

Melbourne Water provided confirmation of its approval of the Stormwater Management Plan and Drainage Strategy on 4 September 2023. DEECA confirmed that requested changes had been made to the Landscape Strategy in written advice to Council officers on 18 April 2024.

A more detailed planning context has been provided later in the report under the section Council Policy Considerations/Planning Ordinance.

The Development Plan proposal

The draft *Development Plan* has been prepared by ProUrban on behalf of the General Property Trust (GPT) in response to the provisions of DPO33. The *Development Plan* was submitted in draft form in October 2022, March 2023, July 2023, December 2023, and March 2024. It was the March 2024 version of the *Development Plan* that was placed on non-statutory exhibition (refer Attachment 4). Subsequently, two more versions of the Development Plan were submitted on 21 June 2024 and 24 June 2024.

The *Development Plan* provides a framework for the development of the site, setting aside land for industrial/employment purposes and for conservation, open space and drainage. Any future planning permit applications for use and development of the subject site must generally be in accordance with any approved development plan for the site.

Specifically, the draft *Development Plan* proposes:

- Approximately 23 hectares of land set aside for industrial development and approximately nine hectares of land set aside for open space, stormwater retention and a conservation reserve along the Merri Creek.
- The retention of native vegetation within a conservation area along the Merri Creek corridor and at the southern boundary interface with *galada tamboore* Grasslands.
- The continuation of McKellar Way and extension of the three-metre-wide shared trail along the Merri Creek and the provision of land to be incorporated into the *marram baba* Regional Parklands along the Merri Creek.

- Provision for the ultimate design and location of the road adjacent to the Merri Creek to be subject to design and interface treatment considerations at the planning permit stage, including conservation values associated with the Merri Creek corridor, avoidance of impacts on cultural heritage, the provision of a three metre shared trail, and to minimise the effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.
- The interface treatment to the *galada tamboore* Grasslands is addressed by the provision of a landscape buffer zone and the requirement for shadow diagrams to accompany any future planning permit application.
- Attenuation of stormwater runoff managed in one consolidated retention area for the entire estate. The proposed stormwater management basin is located on the south-west of the site within the proposed conservation area. Each catchment on the site will discharge into gross pollutant traps prior to discharging into a sediment forebay prior to discharging into the bioretention basins. Stormwater is then discharged into the Merri Creek. Some on-site retention will also be provided through rainwater reuse tanks.
- The requirement for an Asbestos Management Plan at the planning permit stage, due to fill material on site that means asbestos may be present on site. The supporting documentation relating to contamination indicated that the site is not likely to be subject to contamination that would pose a significant risk to the environment or human health under the proposed industrial use.
- Ground salvage for all known Aboriginal artefact scatters identified on the site in accordance with an approved Cultural Heritage Management Plan.

The Development Plan Assessment Process

Five iterations of the proposed *Development Plan* were submitted to Council over a period of almost eighteen months, between October 2022 and March 2024.

During this period, requests for further information were provided by Council officers on matters that included but were not limited to:

Aboriginal Cultural Heritage: A Cultural Heritage Investigation is an application requirement of DPO33, with the layout of the Development Plan and the Landscape Concept Plan to be informed by findings from the archaeological survey and heritage assessment. The Cultural Heritage Investigation was submitted in February 2024.

Arboricultural Assessment: Requests from Council officers were to retain additional trees noting a requirement of DPO33 is the incorporation of existing natural features (including remnant vegetation) into the street layout and design response. Advice included the request that vegetation not be identified for removal. The Development Plan identifies vegetation to be retained (noting removal of vegetation is assessed at the planning permit stage).

Flora and Fauna Assessment: Council officers advised that the avoid and minimise statement was inadequate and responded to the design without consideration of avoidance. Council officers also noted Patches A, L, P, T and U should be considered for retention. Early requests for further information noted there were potentially unmapped areas of vegetation on the site (it is not clear when the mapping was updated). Targeted surveys for EPBC Act protected species (that is, at the optimal time of year for the species to be present) were not included in the assessment until the December 2023 submission and were still subject to limitations. The advice from Council officers also noted that referral under the EPBC Act would be required for the proposed impacts to Grassy Eucalypt Woodland and Natural Temperate Grassland. Subsequent negotiations have resulted in a version of the Development Plan (refer Attachment 1) which shows the retention of 60% of Patch A in the southeastern corner of the site, within a conservation area contiguous with the southern boundary and *galada tamboore* Grasslands.

Flora and Fauna Assessment: Growling Grass Frog (GGF). The subject site is located between two previously identified metapopulations of GGF. Noting there are waterbodies on the site which have potential to provide habitat for GGF, officers requested that with the removal of these waterbodies an equivalent area of dedicated GGF habitat should be provided (in accordance with the GGF Habitat Design Standards (DELWP 2017)). The presence or absence of GGF has not been established due to limitations to the targeted surveys. The *Development Plan* includes the creation of GGF habitat within the Merri Creek corridor, and the application requirements in the *Development Plan* report for future Planning Permit Applications include the submission of a Translocation Plan for GGF and other species of significance.

Habitat Plan: This is an application requirement, with the request for further information stating that the *Development Plan* layout should be informed by the identification of key habitat features, including for GGF, such as foraging, breeding, dispersal and shelter within areas proposed to be developed. The Habitat Plan was submitted in the form of a Conservation Management Plan (December 2023). The Conservation Management Plan will require revision and is noted in the *Development Plan* report as a requirement prior to the certification of any stage of subdivision.

The Conservation Management Plan will be required to reference any Cultural Heritage Management Plan developed for the site, incorporate open space in the *marram baba* Regional Parklands including the partial retention of Patch A, include any ongoing management requirements of the Translocation Plan, and to be secured on title via a Section 173 Agreement (*Planning and Environment Act 1987*).

Stormwater Management Plan and Drainage Strategy: The initial requests for further information expressed concern with the proposed co-location of stormwater retention basins and Growling Grass Frog habitat, lack of detail regarding the catchment areas within the site, and the stormwater treatment train. Following further negotiation on these points, Melbourne Water confirmed satisfaction with the Stormwater Management Plan and Drainage Strategy in September 2023.

Landscape Concept Plan: The Landscape Concept Plan was not prepared in consultation with DEECA prior to submission. This occurred during the *Development Plan* assessment period. Requests for further information identified inconsistency with the future *marram baba* Regional Parklands and that Australian natives were proposed for street tree and open space planting rather than locally indigenous species. A request for further information in April 2023 provided DEECA's initial requirements for the Landscape Concept Plan. DEECA confirmed in April 2024, that its recommendations had been incorporated in the Landscape Strategy.

Potentially Contaminated Land: Requests for further information included the request for an unequivocal statement that either: the site is contaminated, or the site is not likely to be contaminated (in accordance with Planning Practice Note 30). This statement (Preliminary Site Investigation Cover Sheet) was provided in December 2023.

External agencies identified in DPO33: During the assessment, DEECA and Melbourne Water were referred the proposed *Development Plan* for comment.

Apart from DEECA's technical role in the preparation of the Landscape Concept Plan under DPO33, DEECA is a recommending referral agency for planning permit applications that trigger the detailed assessment pathway under Victoria's regulations for the Removal and Lopping of Native Vegetation. If the scale of vegetation removal proposed in the development plan assessment is carried forward to a planning permit application, DEECA will be referred the application.

DEECA officers provided extensive comments on the submission in correspondence dated March 2023 and November 2023, in addition to the correspondence in response to non-statutory exhibition in April 2024.

Native Vegetation (Avoid and Minimise): The proponent's intention to develop large floor-plate warehouses on a site that has significant conservation values, has hampered efforts to negotiate a more nuanced development approach to retain vegetation patches on the site.

The intent in the proposed *Development Plan* to rehabilitate and revegetate the Merri Creek corridor is noted, including the creation of GGF habitat within the corridor.

Retention of Patch A/AB

As the end of the first year of assessment of the proposed *Development Plan* approached, Council officers were under considerable pressure from the proponent to place the Development Plan on non-statutory exhibition. In November 2023, DEECA provided a response to an August 2023 submission from the proponent, stating DEECA was "generally satisfied that the previous recommendations have been incorporated into the amended Plan". In contrast to this, DEECA recommendations in the March 2023 correspondence had included that "additional opportunities to avoid and minimise native vegetation removal could be considered" and requested that the applicant retain, protect, and incorporate areas of native vegetation of significant biodiversity value within conservation and open space, and seek opportunities to retain native vegetation within industrial lots.

A number of development schemes had been circulated by the proponent to Council and agencies including DEECA, purporting to achieve the "avoid and minimise" principle. Council's environmental planning team remained of the view that the patch of intact vegetation in the south-east of the site (Patch A/AB) should be retained due to its conservation value, and location adjacent to galada tamboore grasslands. This had been the consistent position of Council officers with respect to the Development Plan layout.

Having received the DEECA advice of November 2023, strategic planning officers assessing the Development Plan understood the advice to indicate that the State government environmental agency approved the *Development Plan* proposal, which continued to locate conservation areas in the Merri Creek corridor and nominate the remainder of the site as "developable". In response to this, strategic planning officers provided advice to the proponent via email on 30 November 2023 that the Strategic Planning department no longer required the retention of Patch A provided the strategies to enhance biodiversity in other sections of the site are implemented. In the emailed advice, the position to exhibit the *Development Plan* without the retention of Patch A was clearly identified as that of the Strategic Planning department. The position was taken to progress the *Development Plan* to non-statutory exhibition through this impasse, noting the proponent's unwillingness to change their aspirations for development of the site.

Non-statutory Exhibition

Although there is no statutory requirement to advertise the *Development Plan*, the City of Whittlesea undertakes non-statutory exhibition as part of its established notification practices to affected and adjoining properties and relevant agencies. This is to ensure that any owners/occupiers impacted by the proposal, and agencies with relevant expertise, can provide comment on the draft *Development Plan* for Council's consideration.

Following the March 2024 submission, the draft *Development plan* was placed on non-statutory exhibition to agencies including DEECA, Melbourne Water and MCMC, the owner of 481 Cooper Street (the adjacent site to the north), and to owner/occupiers of lots with road frontage to McKellar Way, Graystone Court and Biodiversity Boulevard.

A total of four submissions were received during the non-statutory exhibition period from MCMC, and the statutory agencies Melbourne Water, DEECA and the CFA. The issues raised in the submissions are detailed at Attachment 5 and key issues are summarised below.

Melbourne Water

Melbourne Water advised that the Stormwater Management Plan and Drainage Strategy had been prepared to their satisfaction. Melbourne Water also provided a list of requirements and conditions to be addressed as part of any future subdivision or planning permit application.

MCMC

MCMC stated that the principles of avoid and minimise had not been demonstrated by the proposal and recommended the *Development Plan* layout be revised to retain Patch A/AB.

MCMC provided extensive and detailed feedback requiring wording changes to strengthen the *Development Plan's* design guidelines, requests for the provision of a 6-metre fire buffer, and specific recommendations in relation to the supporting documents.

DEECA

DEECA noted that they are generally satisfied that their previous recommendations have been incorporated into the Landscape Concept Plan.

DEECA also commented that the *Development Plan* did not adequately respond to the existing biodiversity and that further opportunities to avoid and minimise impacts to native vegetation and habitat of threatened species should be explored.

Following their response to non-statutory exhibition, DEECA provided further clarification by email, recommending that the patch in the far south-eastern corner of the property (Patch A/AB) be retained within a conservation reserve as it provides continuity with the adjoining *galada tamboore* Grasslands and is synonymous with threatened communities protected under State and Commonwealth legislation.

Country Fire Authority (CFA)

The CFA advised it supports the proposed *Development Plan* in its current form but notes that the site can be exposed to fast running grass fire events and that the *Development Plan* should include the outer road reserve to provide a buffer adjacent to the *galada tamboore* Grasslands.

Recommended changes to the Development Plan in response to submissions

In response to submissions from MCMC and DEECA that the principles of avoid and minimise had not been achieved, Councils officers advised the proponent that Council officers would not be recommending approval of the *Development Plan* without the following changes affecting the Development Plan layout:

- the retention of Patch A and AB as a congruous area with *galada tamboore* Grasslands. Patch A is 0.586 hectares of critically endangered EPBC listed vegetation (Natural Temperate Grasslands of the Victorian Volcanic Plains) and is considered high quality. Patch AB (Plains Grassy Wetland) is 0.106 Hectares of lower quality vegetation due to weed cover. The retention of Patch AB was recommended as it adjoins Patch A but would be subject to further detailed assessment in relation to the location of the stormwater retention basins.
- An amendment to an existing note on the Development Plan in relation to the Merri Creek interface (new text in bold): *The ultimate location of the road adjacent to Merri Creek is subject to design and interface considerations, **including impacts to native vegetation**, at the planning permit stage.*
- Incorporation in the Development Plan report of the planning application guidelines from the DEECA approved Landscape Strategy, which seek (amongst other matters) the provision of firebreaks (six metres wide, and mown or slashed) within the private land.

In response to the submissions from MCMC, CFA, Melbourne Water and DEECA, Council officers also requested that a number of conditions and requirements for planning permit applications be included in the *Development Plan Report*, as well as additional wording changes to the report. Noting that the *Development Plan* report must contain all the information required by DPO33, additional changes required to the Development Plan report that Council officers identified prior to exhibition were compiled with the post-exhibition changes and supplied to the proponent for reference on 30 May 2024.

Subsequent negotiations with the proponent in relation to the changes recognised that the retention of Patch AB (as well as Patch A) would require a relocation and redesign of the retention basins.

Noting that approval from Melbourne Water for the related drainage strategy had taken almost 12 months, and that it would not be possible to negotiate a change to the drainage strategy with Melbourne Water within the time limits, Council officers agreed to a version of the Development Plan layout that would retain 60% of Patch A and none of Patch AB. Patch AB is a Plains Grass Wetland community and, whilst desirable to retain due to being contiguous with Patch A, is lower quality due to high weed cover and, unlike Patch A, is not listed for protection under the EPBC Act.

In addition to the changes to the Development Plan layout outlined above, key findings, conditions, and recommendations from the background documents provided to support the Development Plan have been summarised in the *Development Plan* report at Attachment 1.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

Strong Local Economy

Our City is a smart choice for innovation, business growth and industry as well as supporting local businesses to be successful, enabling opportunities for local work and education.

Once a Development Plan is approved for the site, it will provide for additional land for employment within the municipality.

Sustainable Environment

We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change.

The proposed *Development Plan* seeks to retain native vegetation along the Merri Creek corridor, and in the south-east corner adjacent to *galada tamboore* Grasslands. The proposal also provides for the creation of Growling Grass Frog habitat within the Merri Creek corridor.

Considerations of *Local Government Act (2020)* Principles

Financial Management

The proponent has paid a statutory fee to Council for the assessment of the Development Plan.

Community Consultation and Engagement

The draft *Development Plan* was placed on non-statutory exhibition through which neighbouring landowners and relevant government agencies are notified and their feedback is sought. The feedback of submitters has been considered in the assessment of the proposed *Development Plan* as summarised above at the section on non-statutory exhibition and at Attachment 5.

The non-statutory exhibition of the *Development Plan* was conducted in accordance with the following community engagement principles as set out in the Local Government Act (2020).

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.
- (b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- (c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
- (h) Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Public Transparency Principles

- (c) Council information must be understandable and accessible to members of the municipal community.

Council Policy Considerations

Environmental Sustainability Considerations

The proposed *Development Plan* seeks to retain native vegetation along the Merri Creek corridor, and in the south-east corner adjacent to *galada tamboore* Grasslands. The proposal also provides for the creation of Growling Grass Frog habitat within the Merri Creek corridor. As such, the proposal provides adequate support for the retention of environmental and biodiversity values on the site.

Social, Cultural and Health

The proposed *Development Plan* will have positive social and health impacts by providing for additional open space and the continuation of the shared path along the Merri Creek.

Economic

The proposal has the potential to generate economic activity by unlocking industrial land creating more employment opportunities within the municipality.

Legal, Resource and Strategic Risk Implications

In accordance with Section 149 of the Planning and Environment Act 1987 a specified person may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of the decision.

Planning Ordinance (Whittlesea Planning Scheme)

Planning Policy Framework

The proposed *Development Plan* is consistent with the following provisions and objectives of the Planning Policy Framework of the Whittlesea Planning Scheme, including:

- Clause 12 Environmental and Landscape Values;
- Clause 12.01-1S Protection of Biodiversity;
- Clause 12.01-1L Protection of Biodiversity; and
- Clause 12.05-2S Landscapes.

The *Development Plan* satisfactorily avoids impacts to existing native vegetation and provides support for natural systems, habitat reinstatement, and landscape values. In particular, the proposal:

- Contributes to protecting and enhancing habitat for indigenous plants and animals in urban areas (12.01-1S).
- Maintains biodiversity outcomes and habitat connectivity in developing areas (12.01-1L).
- Satisfactorily avoids the removal, destruction or lopping of native vegetation (12.01-2S).
- Recognises the natural landscape for its aesthetic value and as a fully functioning system (12.05-2S).
- Ensures important natural features are protected and enhanced (12.05-2S).

Planning Controls

Industrial 1 Zone (Clause 33.01 of the Whittlesea Planning Scheme - INZ1)

The purpose of the INZ1 is to provide for manufacturing industry, the storage and distribution of goods, and associated uses.

Urban Floodway Zone (Clause 37.03 of the Whittlesea Planning Scheme - UFZ)

The UFZ applies to a small portion of the north-west corner of the subject site. The purpose of the Urban Floodway Zone is to identify waterways, major flood paths, drainage repressions and high hazard areas at risk of being affected by flooding.

Clause 43.04, Schedule 33 to the Development Plan Overlay (DPO33)

The purpose of the DPO is to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

Section 4.0 of DPO33 specifies key objectives and requirements for the Development Plan. The proposed *Development Plan* adequately responds to the following:

- Incorporation of existing natural features (including remnant vegetation) into the street layout and design response, including to manage the interface to galada tamboore Grasslands.
- A landscape concept plan incorporating existing natural features of the site into street layout and landscape design response, with consideration to fire management needs.
- A Habitat/Conservation Plan that identifies existing and future habitat links and communities of species identified in the Flora and Fauna Assessment Report. The conservation response for the proposed Development Plan is concentrated in the Merri Creek Park, which is a separate requirement of the DPO33 schedule. While elements of DPO33 place particular emphasis on the Merri Creek corridor and the adjacent grasslands, including interface treatments, the high conservation values of the remainder of the site have protection under the Whittlesea Planning Scheme, and State and Commonwealth legislation.

Environmental Significance Overlay – Schedule 3 (ESO3)

ESO3 applies to the Merri Creek and Environs and specifies key environmental objectives to be achieved. The ESO3 specifies the following:

- To protect and enhance the natural and visual character of the waterway corridor.
- To ensure that the scenic qualities and visual character of the waterway corridor are not compromised.
- To protect areas of sensitivity for Aboriginal cultural heritage.
- To protect natural landforms and geological features.

Melbourne Airport Environs Overlay – Schedule 2 (MAEO2)

The purpose of the MAEO2 is to identify areas that are or will be subject to moderate levels of aircraft noise. The overlay triggers a planning permit for specified land uses, subdivision, and buildings and works.

Land Subject to Inundation Overlay (LSIO)

The purpose of the LSIO is to identify flood prone land in a riverine area.

Design and Development Overlay – Schedule 2 (DDO2)

DDO2 applies to the Hume Freeway and includes a range of design objectives to ensure that the development of land near the Hume Freeway is undertaken with appropriate noise attenuation measures.

Other planning considerations:

The removal of native vegetation is assessed at the planning permit stage. Development Plans do not pre-approve vegetation removal but can recommend retention of vegetation in response to the requirements of the DPO Schedule and relevant planning policy and controls.

Additional Council Policy

City of Whittlesea Biodiversity Strategy 2019-2029

Council's Biodiversity Strategy specifies that in relation to Council's role on private land, under the *Planning and Environment Act 1987*, Council is the responsible authority for administering and enforcing the Whittlesea Planning Scheme. As outlined above the Whittlesea Planning Scheme provides for the protection of biodiversity values on private land by ensuring applications are assessed for their impacts on biodiversity values and that removal of vegetation is avoided or minimised prior to a permit for removal being granted.

Implementation Strategy

Communication

The Council Decision will be communicated to the proponent and submitters.

Critical Dates

October 2022 – *485 Cooper Street Epping Development Plan* submitted to Council.

March 2024 – Non-statutory Exhibition of the *485 Cooper Street Epping Development Plan*.

June 2024 – Re-submission of the post-exhibition version of *485 Cooper Street Epping Development Plan*.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, notes that one co-author has a general conflict of interest (perceived, indirect) in relation to this report. City of Whittlesea is a partner organisation of Merri Creek Management Committee (an agency submitter to the exhibition of the Development Plan). The officer is one of two City of Whittlesea representatives on the Merri Creek Management Committee.

Attachments

1. Attachment 1 - 485 Cooper Street Epping - Development Plan [5.2.1 - 25 pages]
2. Attachment 2 - 485 Cooper Street Site Context Maps [5.2.2 - 2 pages]
3. Attachment 3 - 485 Cooper Street Map of Native Vegetation [5.2.3 - 1 page]
4. Attachment 4 - Exhibition version: 485 Cooper Street Development Plan [5.2.4 - 23 pages]
5. Attachment 5 - 485 Cooper Street Development Plan Submissions Summary and Officer Response [5.2.5 - 5 pages]



485 Cooper Street, Epping Development Plan

21 June 2024

| Document No. | Document Form | Prepared By | Reviewed By | Date |
|--------------|----------------------|-------------|-------------|-------------------|
| 1. | Draft | T. Hamilton | H. McKenzie | 15 September 2022 |
| 2. | Final | T. Hamilton | H. McKenzie | 30 September 2022 |
| 3. | Resubmission | T. Hamilton | H. McKenzie | 28 July 2023 |
| 4. | Revised Resubmission | T. Hamilton | H. McKenzie | 01 August 2023 |
| 5. | Revised Resubmission | T. Hamilton | Client | 22 December 2023 |
| 6. | Revised Resubmission | L. Williams | T. Hamilton | 1 March 2024 |
| 7. | Revised Resubmission | T. Hamilton | Client | 21 June 2024 |

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1 Introduction

The Development Plan has been prepared on behalf of The GPT Group in accordance with the requirements of Clause 43.04 (Development Plan Overlay – Schedule 33) of the Whittlesea Planning Scheme.

The purpose of the Development Plan is to provide an area-specific framework for the future development of 485 Cooper Street, Epping (the site). The site comprises a total area of approximately 352,600sqm and is made up of one (1) allotment, identified as Lot 1 on Plan of Subdivision 519650.

The Development Plan includes design objectives and necessary information to guide the assessment of any future planning permit applications.

1.1 Development Plan Overlay

This Development Plan has been prepared for a site within the Cooper Street South-West Employment Area. The key objectives for the employment area as prescribed through DPO33 include:

- *Activated frontages along Cooper Street, the Merri Creek and the Barry Road Grasslands.*
- *The prohibition of Restricted Retail uses along the Cooper Street frontage.*
- *Office uses oriented to the street frontage.*
- *Car parking areas to be located at the rear of buildings where possible, or sleeved to minimise their visibility from the street.*
- *Provision of landscaping within the frontage of the site and within car parking areas.*
- *Incorporation of existing natural features (including remnant vegetation) into the street layout and design response.*

- *Provision of a road along the eastern boundary of the development plan area, generally consistent with the existing carriage way easement in this location.*

Pursuant to the requirements of Schedule 33, Clause 3.0 of the Development Plan Overlay, the Development Plan has been informed by, and should be read in conjunction with the following specialist reports detailed as appendices on Page 21 of this document.

1.2 Purpose of the Development Plan

The purpose of the Development Plan is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To guide the form and conditions of future use and development on the site before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review.*
- *To respond to the relevant requirements of DPO33 - Cooper Street South-West Employment Area.*

1.3 Development Plan Context

The City of Whittlesea is a growth area municipality located on the metropolitan fringe approximately 18 kilometres north of the Melbourne CBD. With a population of 231,799 people (profile id) and a land area of approximately 490 square kilometres (profile id), the municipality is one of the largest and fastest growing in metropolitan Melbourne.

The municipality is made up of a diverse range of land use types and areas including established residential, industrial and commercial precincts. As noted, this Development Plan relates to land in the Cooper Street South-West Employment Area which is part of the broader Cooper Street

Employment Precinct. The precinct is predominantly made up of commercial and industrial land uses.

Cooper Street is the major east-west arterial road linking High Street to Sydney Road, intersecting the Hume Highway approximately halfway between the two. The precinct is well serviced by key transport infrastructure and connections including the Hume Freeway / Craigieburn Bypass, Western Ring Road, Melbourne Airport and Essendon Airport. The precinct will benefit from the future Outer Metropolitan Ring Road (OMR) and Beveridge Intermodal Freight Terminal (BIFT) which will be key pillars in Victoria's freight and logistics infrastructure.



FIGURE 1 - THE DP AREA IN WHITE IS WELL SERVICE BY KEY TRANSPORT INFRASTRUCTURE AND WITHIN A PREDOMINANTLY INDUSTRIAL PRECINCT.

The Development Plan area is bounded by the Merri Creek to the west, the Barry Road Grasslands and Merri Creek Park to the south, the Hume Freeway / Craigieburn Bypass to the east, and 481 Cooper Street to the North. Further east beyond the Hume Freeway the land has been developed for residential purposes.

No. 481 Cooper Street is undeveloped but is subject to a current planning process which includes the provision of the Development Plan to facilitate industrial development on the land. The land between 481 Cooper Street and the road has been developed for industrial purposes.

The development plan area is irregular in shape and is distinguished by significant level changes throughout, with a number of escarpments, undulations and former quarries. The site falls away sharply at its western boundary (Merri Creek interface). The site is also predominantly obscured from view of the Hume Highway due to a stand of trees beyond the site's eastern boundary and the undulating land.

Please refer to the Planning Report prepared by *proUrban Advisory, Planning & Management* for further details of the Development Plan context.



FIGURE 2 - SITE CONTEXT PLAN

2 Site Context

2.1 Planning Policy Framework

Zone & Overlays

The subject site is affected by the Industrial 1 Zone (IN1Z) and Urban Floodway Zone (UFZ) and the following overlays:

- Environmental Significance Overlay – Schedule 3 (ESO3)
- Design and Development Overlay – Schedule 2 (DDO2)
- Development Plan Overlay – Schedule 33 (DPO33)
- Melbourne Airport Environs Area Overlay – Schedule 2 (MAEO 2)
- Land Subject to Inundation Overlay (LSIO)

Further details of these planning controls are outlined within the Planning Report prepared by *proUrban Advisory, Planning & Management*.

Under the provisions of the Whittlesea Planning Scheme, the site is identified for industrial development. More specifically the following objective is sought:

- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

Further information on the State and Local Planning Policy Framework and relevant particular provisions of the Planning Scheme are provided within the town Planning Report prepared by *proUrban Advisory, Planning & Management*.



FIGURE 3 - THE ZONES AFFECTING THE DP AND SURROUNDS.



FIGURE 4 - PLANNING OVERLAYS AFFECTING THE DP AND SURROUNDS.

3 Development Plan

3.1 Overview of Development

The Development Plan seeks to provide developable area that will enable industrial development and employment opportunities consistent with the objectives of the Cooper Street South-West Employment Area. In addition to responding to the employment objectives, the Development Plan seeks the retention of a significant portion of vegetation along the Merri Creek interface. The vegetated area is proposed to be incorporated into the Merri Creek Park.

The proposal balances the competing priorities by enabling circa 231,602sqm of development area, 14,260 sqm of open space and 82,000 of habitat zone along Merri Creek.

This design will ensure the open space area is functional for both the flora and fauna that will exist on the site as well as the employee population that will utilise the space. Further, situating the open space and vegetation corridor in this location has the further benefit of integrating the estate with Merri Creek.

The open space and vegetation corridor along Merri Creek is proposed to be retained and enhanced, thus providing an opportunity to develop the balance of the site for industrial purposes that will respond to the employment and commercial objectives of the area.

3.2 Development Plan

The proposed Development Plan is shown in Figure 3 and is also incorporated as Appendix 1.

3.3 Site Staging Plan

Figure 1 also provides the indicative staging for the estate.

- Stage 1 will incorporate the delivery of the Stormwater Treatment, Conservation Zone and road infrastructure as well as the large centrally located development area.
- Stage 2 will incorporate development in the north-west and south-east.
- Stage 3 will incorporate development in the north-eastern portion of the site.

Refer to the Development Plan at Figure 5.

The staging of the site is contingent on the development of the site to the north.

3.4 Future Development Applications

As part of future planning permit application for subdivision and development, in addition to other requirements of the Whittlesea Planning Scheme, the following documentation is required to be prepared to the satisfaction of the responsible authority:

- Kangaroo Management Plan;
 - Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the responsible authority. The Kangaroo Management Plan must be submitted to the Secretary to the Department of Energy, Environment and Climate Change Action (DEECA) for review and the comments of DEECA are to be considered by Council in its assessment of the submitted Kangaroo Management Plan. The submitted Kangaroo Management Plan should include:
 - Strategies to avoid land locking kangaroos, including staging of subdivision.

- Strategies to minimise animal and human welfare risks.
- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.
- Actions to address the containment of kangaroos and to ensure appropriate animal welfare.
- The approved Kangaroo Management must be implemented to the satisfaction of the responsible authority.
- Tree and Native Vegetation Removal and Retention Plan;
- Conservation Management Plan:
 - Before the certification of any stage of subdivision the permit holder must prepare a Conservation Management Plan for the land. The Conservation Management Plan (CMP) must be prepared to the satisfaction of the responsible authority, must make reference to any Cultural Heritage Management Plan developed for the site, incorporate proposed open space in the marram baba Parklands corridor, include the partial retention of Patch A and include a Translocation Plan for Growling Grass Frogs and/or other species of significance.
 - The Conservation Management Plan is to be secured on title via a Section 173 Agreement of the Planning and Environment Act 1987.
 - Action items identified within the Conservation Management Plan must be completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.
- A Translocation Plan for Growling Grass Frogs or other species of significance must be submitted to Melbourne Water for approval, in accordance with the draft Conservation Management Plan.

- Assessment of the waterbodies and their environs for fauna is a requirement prior to the commencement of subdivision with appropriate survey, salvage and translocation provisions by suitably qualified professionals.
- The ultimate location of the road adjacent to Merri Creek is subject to design and interface considerations, including impacts to native vegetation, at the planning permit stage.

As part of future planning permit application for use and buildings and works, in addition to other requirements of the Whittlesea Planning Scheme, the following documentation is required to be prepared to the satisfaction of the responsible authority:

- Waste Management Plan,
 - The Waste Management Plan must demonstrate how the capture, collection and disposal of recyclable and non-recyclable waste will occur.
- Construction Environmental Management Plan (including Asbestos Management Plan)
 - An asbestos management plan (AMP) in conjunction with, or separate to a Construction Environmental Management Plan (CEMP), is recommended to be developed prior to any significant earthworks on site. Based on historical and recent environmental investigations, the Site is considered suitable for commercial/industrial land use and the proposed development; acknowledging the implementation of industry best practice management plans addressing the Site conditions encountered to date.

The final Conservation Management Plan must be submitted to Melbourne Water with access gate design and location included.

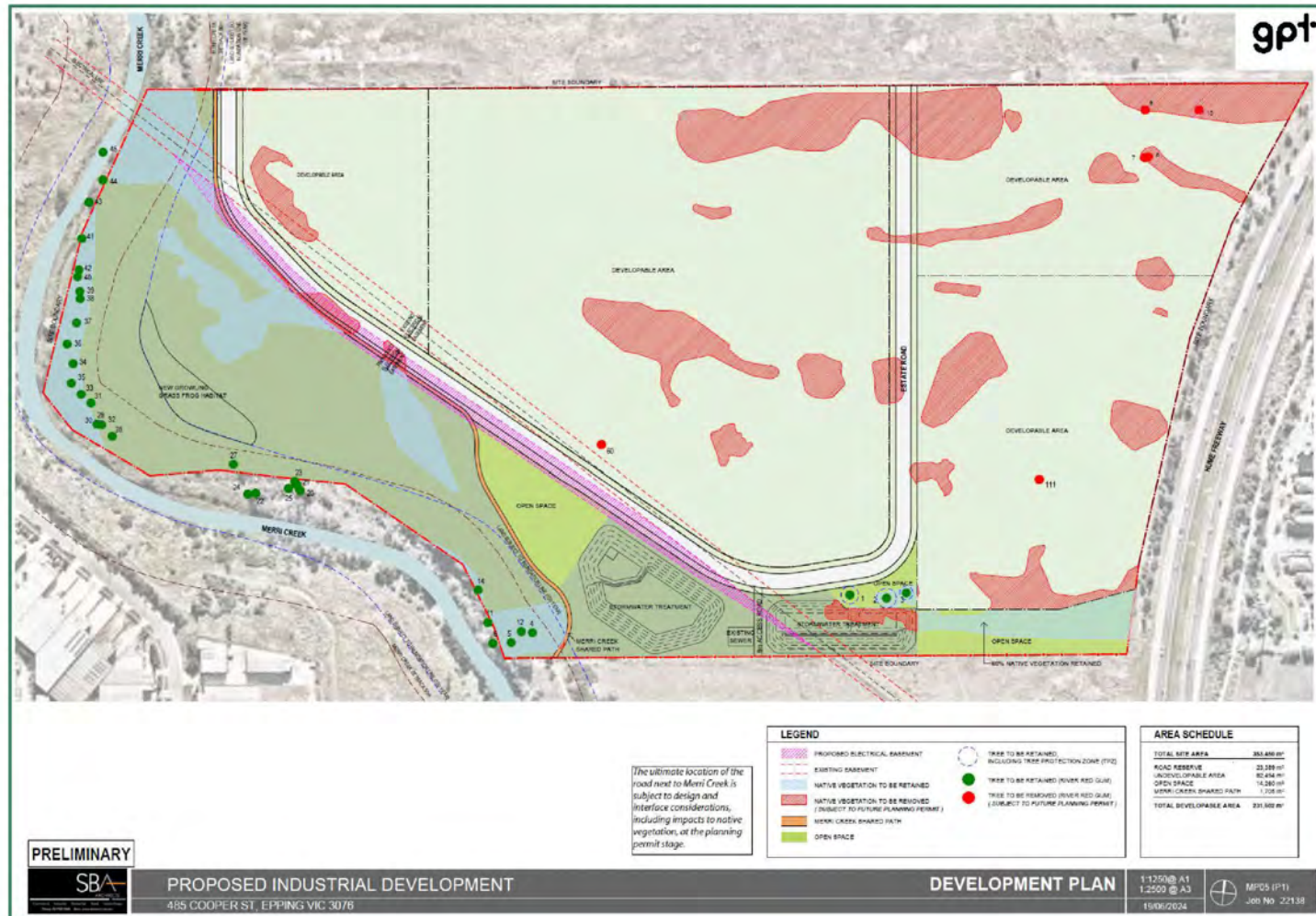


FIGURE 5 - DEVELOPMENT PLAN LAYOUT INCLUDING INDICATIVE STAGING

4 Design Guidelines

The Development Plan layout has been designed to achieve a high-quality industrial precinct that is environmentally sustainable, promotes visual amenity and appropriately integrates the open spaces and industrial areas. The following design guidelines will assist in ensuring that the future development of the site will be of a high quality.

Setbacks

- Building setbacks must allow for active street frontages and be landscaped to enhance the appearance of the development. Visitor car-parking including landscaping is encouraged near office entry.
- The front building setback is to be landscaped in accordance with City of Whittlesea's Landscape Guidelines for Industrial Development.
- All storage of goods and materials, refuse collection areas and garbage skips will be fully screened from view. Screening materials must be consistent with building and landscaping on site.
- Buildings are to be setback a minimum 6 metres from any boundary adjoining a conservation reserve, habitat corridor or road reserve abutting a conservation reserve/habitat corridor.
- Substations & services should be avoided within the front setback, and a landscape screen should be provided subject to approval from the relevant service provider.

Building Design

- Buildings are encouraged to be of high-quality design and visually attractive.
- Buildings and offices (or dock offices) should orientate themselves to address and provide surveillance of the road network and the parkland areas.
- Building facades of office developments are to be modulated and

articulated, which may include architecturally expressing structural elements of the building.

- The provision of articulation and use of glazing, height, variation in materials and textures and the use of architectural features and Ensure forms and surface treatment strategies is encouraged to provide visual interest.
- The visual impact of large wall expanses is to be reduced in scale by architectural treatment, landscaping and/or the use of colour.
- A dedicated separate 1.5m footpath must be provided from the street to the office entrance.
- Roof design and exposed structures including lift motor rooms, plant rooms, air conditioning, satellite dishes, ventilations and exhaust systems to be suitably screened, integrated and not detract from building appearance.
- Where buildings include side or rear elevations facing an open space or drainage reserve, they should be well articulated and provide a component of glazing for passive surveillance.
- Shadow diagrams must accompany any application for use or development of lots adjacent marram baba Parklands and galada tamboore Grasslands.
- There is a requirement that no buildings are constructed that would overshadow the Barry Road Grasslands during the hours of 10am – 3pm on 22 June.
- Recommendation to avoid overshadowing of habitat within 50 metres of a wetland or waterway.

Sustainable Design

- All development must have regard to City of Whittlesea's Environmentally Sustainable Development policy found within Clause 15.01-2L of the Whittlesea Planning Scheme. In addition, it is recommended that:
 - Solar Photovoltaic is encouraged for all developments.
 - Electric Vehicle parking space/s and associated charging

infrastructure to be encouraged within the estate.

- Buildings constructed to achieve a Solar Reflectance Index value of greater than 50 by avoiding dark roofs.
 - Consideration of external shading measures particularly to north and western glazing to reduce solar heat gain.
 - Encourage buildings to be designed to minimise embodied energy and operational energy consumption in order to reduce lifetime greenhouse gas emissions from the development.
- Maximise on-site infiltration including use of rainwater tanks to maximise rainwater collection and re-use opportunities. Encourage use of large smart rainwater tanks.
 - Permeable surfaces, landscaping and Water Sensitive Urban Design (WSUD) treatments should be considered rather than large expanses of hard surfaces.
 - Hard surfacing in landscaped areas such as walkways between car parking spaces is to be prioritised as permeable surface.
 - Energy-efficient lighting is encouraged to be used to reduce energy consumption and operating costs.

Fencing

- Fencing on the side and rear property boundary should be a black-coloured chain wire mesh or palisade fence to a maximum height of 2.1m.
- Maximise active frontages to the street and adjoining areas by providing architectural treatments when fencing is unavoidable.
- Basalt plinths, (or similar) end walls on corners is encouraged.
- Encourage fences and gates to be integral to the design of building proposed for the site.
- Security fencing should have a high degree of transparency and be located behind the landscape buffer. In the event fencing is required for security purposes for side and rear boundary it is to be plastic

coated and encouraged to be no more than two strands of barbed wire.

Uses

- A component of office should be orientated towards the primary street frontage to allow for a sense of address and activation of the street. Alternatively, the office areas should be orientated towards the on-site car parking areas to provide visual surveillance.
- Staff amenity area which includes private outdoor eating and sitting for staff is to be provided on each lot. This area is to have a minimum of 15m² and located away from intrusive sources.

Car Parking and loading facilities

- Car parking within the front setback should be minimised and preferably restricted to visitor parking and all abilities parking. Any car parking located in front of buildings must be adequately screened with landscaping.

Loading and Storage

- Wherever possible, loading facilities are to be located at the side or rear of developments to minimise their visual impact.
- All loading and unloading facilities shall be provided for within the site and screened to the satisfaction of the Responsible Authority.
- Where possible, loading and servicing areas should be designed as an integral part of the development on each site.
- All storage of goods and materials, refuse collection areas and garbage skips will be fully screened from view. Screening materials must be consistent with building and landscaping on site.

Access

- All vehicles, including those delivering to or servicing the site, must be able to enter and leave it in a forward direction.
- Ensure truck/heavy vehicles are able to safely egress the site and do not conflict with the pedestrian/walking environment.

Signage

- Advertising signage should form an integrated part of the building façade, architectural design and the scale of the building.
- The number of signs should be limited to avoid cluttering distraction and unnecessary repetition.
- Each development should provide appropriate directional signage to assist with the movement of pedestrian and vehicular traffic. Directional signage should be of a consistent type and style throughout the development. In general, this signage should explain:
 - Site entries and exits
 - Staff and visitor car parking
 - Goods delivery and pick-up
 - Reception/office areas

Waste Management

- All waste materials and refuse shall be stored in areas specifically designated for this purpose.
- Waste and refuse storage areas which are external to buildings on the site must be fully screened.
- Storage areas for waste materials and reuse should be an integral part of the design of the buildings.

Lighting

- All premises must provide external lighting to ensure adequate site security.
- All car parking areas should be provided with appropriate lighting to ensure safety and security of users after dark.
- All lighting must be located, directed and baffled to limit light spill beyond the site boundaries.

Maintenance

- All buildings must be maintained in good order and appearance.
- Sites that are not improved or built upon shall be maintained in a clean and neat appearance by the landowner.

Landscaping

- Landscape plans for each site must be prepared in accordance with the City of Whittlesea's Landscape Guidelines for Industrial Development.
- Species selection to favour hardy and drought tolerant species with low maintenance and low watering requirements. Species selection must preference local indigenous species.
- Species selection and maintenance schedules must consider the need to manage weeds, and the potential for exotic species to seed in nearby conservation areas.
- River red gums proposed for retention must form an integrated and protected part of development.
- The front building setback is to be landscaped to minimize the impact of built form and hardscaping as viewed from the public realm, conservation reserves and open space.
- In large car parking areas of 20 or more car spaces, garden beds with canopy trees, low shrubs and ground covers shall be provided at regular intervals of every 8 continuous car spaces.
- Locate substantial perimeter planting and landscaping around the borders of the estate.

Open Space and Conservation Reserves

- Open space provided within the Merri Creek Marram Baba Corridor must be designed to provide visitor infrastructure and a level of embellishment to the satisfaction of the Responsible Authority
- Appropriate embellishments including rest furniture are to be provided along the shared pathway and in open spaces along the Merri Creek Marram Baba regional parklands to respond to requirements of a regional parkland within the City of Whittlesea Open Space Strategy 2016.
- Shared pathways, facilities and open space provided within the Merri Creek Marram Baba corridor must be designed with safety and functionality at the core of design and located to avoid impacting native vegetation.

- Tree reserves are to be embellished with seating/rest furniture to encourage multi-purpose use of these reserves.
- Tree reserve boundaries and setbacks from significant trees for retention must be outside of the tree canopy and protection zones, in accordance with City of Whittlesea's Tree Protection Zone requirements.
- Tree reserves, conservation areas and open space where they interface with road reserves and lots must include vehicle exclusion fencing treatments that are visually permeable with pedestrian openings to the satisfaction of City of Whittlesea.

5 Access, Parking and Movement

The Transport Impact Assessment has considered the existing and proposed road network of the surrounding area. The following details are provided within Appendix 2:

- The location of existing roads and intersections;
- The location of future roads and intersections;
- The Principal Public Transport Network connections;
- Traffic management works, including intersection types;
- Indicative traffic generation rates for future land uses and its distribution within the road network; and
- Traffic volumes anticipated for the local road network and connections to the arterial road network, including identification of future upgrade works required.

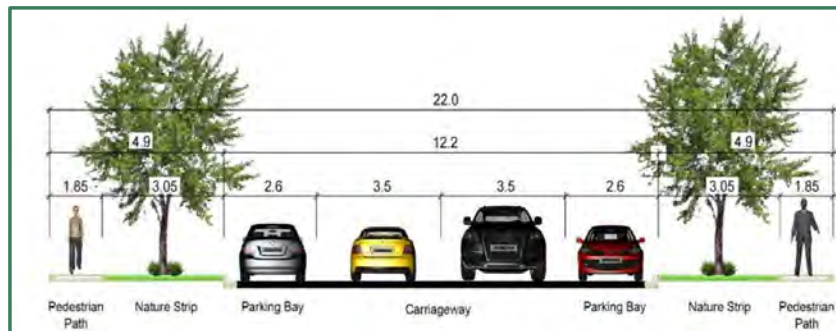


FIGURE 6 – STANDARD ROAD CROSS SECTION

5.1 Proposed Path Network and Industrial Development Plan



FIGURE 7 | PROPOSED PATH NETWORK

6 Stormwater Management Plan and Drainage Strategy

The Stormwater Management Strategy for the site has been developed and provides a best practice solution within the constraints of the existing landform and proposed development layout. The strategy incorporates an on-site detention system to be provided within the southern portion of the site.

A stormwater quantity and quality management strategy has been developed to reduce both peak flows and pollutant loads in stormwater leaving this site. The Stormwater Management for the development has been designed in accordance with Whittlesea City Council and Melbourne Water's water sensitive urban design requirements.

Notes:

- Sodic and dispersive soils will be considered in the Construction Stormwater Management Plan to ensure the correct controls are implemented, as standard erosion controls, such as silt fences, and conventional sediment controls, such as sediment basins do not work with sodic and dispersive soils.
- The design of the detention and bioretention basins shall enhance biodiversity and amenity values as they provide an interface to the marram baba Parklands.
- The design of the detention and bioretention basins shall consider maintenance and mowing access along the southern boundary (including batter slope) without requiring access from Parks Victoria

land.

- The design of the detention and bioretention basins shall consider maintenance and mowing access along the southern boundary (including batter slope) without requiring access from Parks Victoria land.
- The site is not affected by overland flows. A small part of the site was shown to previously drain north to central creek, however this catchment is minor and overall falls are generally to the south-west and Merri Creek.
- The design of the stormwater system for this site will be based on relevant national design guidelines, Australian Standard Codes of Practice, Whittlesea City Council and accepted engineering practice.
- Overall site runoff and stormwater management will generally be designed in accordance with the Institution of Engineers, Australia publication "Australian Rainfall and Runoff" (1987 Edition), Volumes 1 and 2 (AR&R).

Refer to Appendix 3 for further details.

7 Landscape Concept

The Landscape Concept for the site prioritizes the retention and enhancement of landscaping within the identified Merri Creek Park.

7.1 Landscape Plan

Refer to Appendix 4.

7.2 Proposed Road Cross Sections

The road alignment and design will be consistent with the adjacent site to the north.

- A 23.5-metre-wide road cross section will be provided adjacent to the Merri Creek Park. The 12.2m carriageway must be measured from face to face of the kerbs. The cross-section incorporates a 3-metre-wide shared path along the Merri Creek Park alignment. Refer to Figure 8.
- A 22 metre-wide road cross section will be provided throughout the remainder of the estate. 1.85-metre-wide pedestrian paths will be incorporated on both sides of the road. Refer to Figure 6.

In both road cross-sections the road reserve will incorporate:

- Carriageway - 12.2-metre-wide
- Traffic lanes – single lane in both direction
- Parking – parallel parking on both sides of the road.

Additionally, the Landscape Report provides a cross section of the road layout for the road adjacent Merri Creek. Refer to Figure 8. In areas where the road reserve isn't adjacent Merri Creek both pedestrian footpaths are proposed to be 1.85 metres-wide.



FIGURE 8 - ROAD CROSS SECTION ADJACENT THE MERRI CREEK CORRIDOR

7.3 Land Use and Off-Site Amenity Impacts

Landscaping is to be provided within the front boundary and throughout the car parking areas of the future lots. Refer to Figure 9 for an indicative landscape treatment to property frontages.



FIGURE 9 - PROPOSED TYPICAL LANDSCAPE FRONTAGE TREATMENT

7.4 Merri Creek Interface Objectives

- Protection of conservation values associated with the Merri Creek corridor, including threatened flora and fauna species.
- Avoidance of impacts on cultural heritage.
- Provision for a 3-metre-wide shared trail.
- Minimise the effect of the height, bulk, and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.

7.5 Other Landscape Details

Additional details including the plant species schedule and Merri Creek interface details are incorporated with Appendix 4.

Notes:

- All paths within the DP area are required to meet DDA requirements.

- Open space to be embellished appropriately with visitor infrastructure by the developer in alignment with City of Whittlesea's Open Space Strategy 2016 and handed over to Council after a maintenance period.
- Subsequent planning application guidelines will include and allow for the following:
 - Proposed habitat crossings (i.e., roads) to be designed in accordance with Growling Grass Frog Crossing Design Standards (DELWP 2017).
 - The lots that interface with proposed Conservation Reserves, Open Space Areas and Habitat Corridors to have a minimum six metre built form setback and drainage to slope away from the interface.
 - The lots that interface with proposed Conservation Reserves, Habitat Corridors and Open Space Areas that share a boundary to be fenced to restrict vehicle access and direct pedestrian movement toward specific access points; and any permeable fence to be small enough to catch litter.
 - That any planted trees are to be sited to minimise shading to retained areas of native grassland and wetlands within Conservation Reserves and Open Space Areas.
 - The requirement for shadow diagrams to accompany any application for use or development of lots adjacent to a proposed Conservation Reserve, Habitat Corridor or Open Space Area.
 - The requirement for building design to minimise shading of any proposed Conservation Reserve, Habitat Corridor or Open Space Area to ensure no overshadowing of grassland or wetland habitat (including any habitat within 30 meters of a waterway or wetland, excluding the proposed stormwater wetland).
 - That lighting is designed and baffled to prevent spill to and

- within any proposed Conservation Reserves, Habitat Corridors and Open Space Reserves.
- The requirement for any creation and enhance of Growling Grass Frog habitat to be designed in accordance with the best practice standards for habitat creation, including Melbourne Water Constructed Wetlands Guidelines (2010),
 - Growling Grass Frog Masterplan for Melbourne's Growth Corridors (2017) and Guidelines for managing the endangered Growling Grass Frog in urbanising landscapes (2010).
 - Open spaces to be embellished appropriately with visitor infrastructure by the developer in alignment with City of Whittlesea's open space strategy 2016 and handed over to Council after a maintenance period.
 - Merri creek interface objectives:
 - Protection of conservation values associated with the Merri Creek corridor, including threatened flora and fauna species
 - Avoidance of impacts on cultural heritage
 - Provision of 3 metre wide shared trail
 - Minimise the effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.

Proposed Merri Creek Park Plan



FIGURE 10 - LANDSCAPE CONCEPT AND MERRI CREEK PARK PLAN

8 Flora and Fauna

8.1 Arborist Report

Refer to Appendix 5, which provides an arboricultural assessment and incorporates the useful life expectancy of each mature tree on the site. The Existing Site Conditions Plan with site contours and tree mapping is shown in Figure 11.

The proposed retention and removal of the River Red Gums is shown on the Development Plan, refer to Figure 5.

8.2 Flora and Fauna

Refer to Appendix 6 for the flora and fauna assessment undertaken on the site.

8.3 Growling Grass Frog Habitat

Growling Grass Frog habitat will be delivered as part of the future works. The habitat will be designed to Growling Grass Frog Habitat Design Standards (DELWP 2017), refer to Appendix 6.

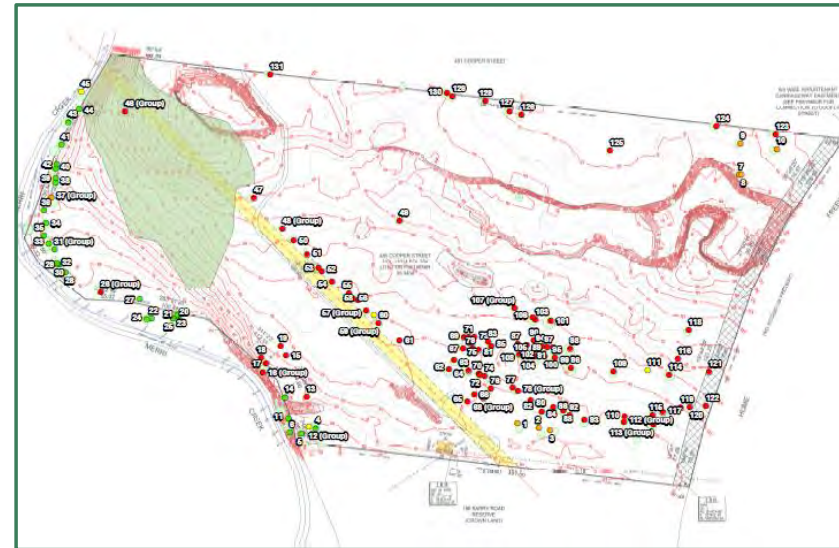


FIGURE 11 | EXISTING CONDITIONS PLAN

9 Cultural Heritage

Summary of Cultural Heritage Report

Standard and Complex Assessments were undertaken on the site with the following findings.

- The desktop assessment identified two previously registered Aboriginal places within the activity area [VAHR 7822-0940 & VAHR 7822-0941]. The site prediction model identified the margins of Merri Creek (<200m) as being of moderate potential for stone artefacts in a subsurface context to a maximum depth of 30cm. All other Aboriginal place types were considered to have no to low potential to be present.

Standard Assessment

- The standard assessment identified the landforms of the activity area as a creek escarpment and volcanic plain. VAHR 7822-0940 & VAHR 7822-0941 could not be relocated. Previous ground disturbances of the activity area include quarrying, recreational use (golf), illegal dumping, informal tracks, and construction of sewer manholes. Two new Aboriginal places were identified and registered as 485 Cooper Street AS [VAHR 7822-XXXX] and 485 Cooper Street LDAD [VAHR 7822-4798]. Ground surface visibility was very poor and effective surface coverage was less than 10%. Due to the activity area deemed as likely to contain Aboriginal Cultural Heritage based on the standard assessment, a complex assessment was undertaken.

Complex Assessment

- The complex assessment consisted of two 1x1m controlled and manually excavated TPs and 91 5x1m mechanical trenches. Total

excavation is 455m² with 1m² containing Aboriginal cultural heritage. Mechanical trench 25, 26, 62, 63, 64 & 65 were abandoned due to asbestos. The stratigraphic profile identified was silty clay ranging from weak to strong over clay. The soil profile encountered within the TP is consistent with the predicted stratigraphic profile for this landform. Modern debris and fill include were located within 64.8% of mechanical trenches.

Management of Cultural Heritage

- Discussions have taken place with the RAP and approval has been granted for ground salvage of the known artefact scatters identified on the site.

10 Geotechnical

Refer to Appendix 7 and 8 for information on the Site Contamination and Geotechnical assessments. The appendices include:

- An analysis and plan of the existing geotechnical conditions, including areas of cut and fill;
 - Identification of any areas of previous excavation or quarrying;
 - Potentially Contaminated Land, Preliminary Sie Investigation; and
 - An environmental assessment identifying any environmental hazards or contamination of the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.
-
- Contamination
 - The site is not likely to be contaminated to a level which would pose a significant risk to the environment or human health under the proposed use/development scenario. No further assessment is required.

11 Conclusion

This Development Plan has been prepared in accordance with the relevant requirements of the Development Plan Overlay.

The Development Plan is considered to align with the objectives of Development Plan Overlay – Schedule 33 and is supported by the relevant expert assessments which are included as appendices.

The Development Plan balances the objectives of the Industrial 1 Zone while also protecting and enhancing the environmental characteristics of the site's Merri Creek interface. This document will guide the future subdivision and building and works application for the site.

Appendix 1 – Development Plan (SBA Architects, 19/06/2024)

Appendix 2 – Transport Impact Assessment (Impact Australia, 19/10/2023)

Appendix 3 - Stormwater Management Plan (Costin Roe Consulting, 20/06/2024)

Appendix 4 – Landscape Planning Report (Outerspace Landscape Architects, 19/12/2023)

Appendix 5 – Arborist Report (Arbor Survey, 08/09/2022)

Appendix 6 – Flora and Fauna Assessment (Nature Advisory, 21/06/2024)

Appendix 7 – Geotechnical Assessment (Industrial Park) (AS. James, 20/07/2023)

Appendix 8a – Soil Contamination Assessment (Edge Group, 06/09/2022 & 22/11/2022)

Appendix 8b – Soil Contamination Assessment (Edge Group, 22/11/2022)

Appendix 8c – Environmental Preliminary Site Investigation Cover Sheet (completed by Helia EHS Pty Ltd (formally Edge Group Pty Ltd, 9/10/2023)

Appendix 9 – Planning Report (proUrban Advisory, Planning and Management, 21/06/2024)

Appendix 10 – Concept Servicing & Staging Report (Costin Roe Consulting, 22/06/2024)


Appendix 11 – Site Context Plan (SBA Architects, 20/07/2023)

Appendix 12 – Habitat Plan (Nature Advisory June 2023)

Appendix 13 – Cultural Heritage Report (Tardis Archaeology Heritage Advisors 19/01/2024)

Attachment 2: Site Context Plan




 Land affected by 485 Cooper Street
Development Plan

 Merri Creek

Attachment 2: Suburb Context Plan



 Land affected by 485 Cooper Street
Development Plan

 Merri Creek



2207.11 Figure 1 Study Area and Native Vegetation - Created by: - M:\2022 Jobs\22076\22076_11_CooperStEpping_Fig\UPDATE_231114.aprx



485 Cooper Street, Epping Development Plan

1 March 2024

| Document No. | Document Form | Prepared By | Reviewed By | Date |
|--------------|----------------------|-------------|-------------|-------------------|
| 1. | Draft | T. Hamilton | H. McKenzie | 15 September 2022 |
| 2. | Final | T. Hamilton | H. McKenzie | 30 September 2022 |
| 3. | Resubmission | T. Hamilton | H. McKenzie | 28 July 2023 |
| 4. | Revised Resubmission | T. Hamilton | H. McKenzie | 01 August 2023 |
| 5. | Revised Resubmission | T. Hamilton | Client | 22 December 2023 |
| 6. | Revised Resubmission | L. Williams | T. Hamilton | 1 March 2024 |

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1 Introduction

The Development Plan has been prepared on behalf of The GPT Group in accordance with the requirements of Clause 43.04 (Development Plan Overlay – Schedule 33) of the Whittlesea Planning Scheme.

The purpose of the Development Plan is to provide an area-specific framework for the future development of 485 Cooper Street, Epping (the site). The site comprises a total area of approximately 352,600sqm and is made up of one (1) allotment, identified as Lot 1 on Plan of Subdivision 519650.

The Development Plan includes design objectives and necessary information to guide the assessment of any future planning permit applications.

1.1 Development Plan Overlay

This Development Plan has been prepared for a site within the Cooper Street South-West Employment Area. The key objectives for the employment area as prescribed through DPO33 include:

- *Activated frontages along Cooper Street, the Merri Creek and the Barry Road Grasslands.*
- *The prohibition of Restricted Retail uses along the Cooper Street frontage.*
- *Office uses oriented to the street frontage.*
- *Car parking areas to be located at the rear of buildings where possible, or sleeved to minimise their visibility from the street.*
- *Provision of landscaping within the frontage of the site and within car parking areas.*
- *Incorporation of existing natural features (including remnant vegetation) into the street layout and design response.*
- *Provision of a road along the eastern boundary of the development plan area, generally consistent with the existing carriage way*

easement in this location.

Pursuant to the requirements of Schedule 33, Clause 3.0 of the Development Plan Overlay, the Development Plan has been informed by, and should be read in conjunction with the following specialist reports detailed as appendices on Page 21 of this document.

1.2 Purpose of the Development Plan

The purpose of the Development Plan is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To guide the form and conditions of future use and development on the site before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review.*
- *To respond to the relevant requirements of DPO33 - Cooper Street South-West Employment Area.*

1.3 Development Plan Context

The City of Whittlesea is a growth area municipality located on the metropolitan fringe approximately 18 kilometres north of the Melbourne CBD. With a population of 231,799 people (profile id) and a land area of approximately 490 square kilometres (profile id), the municipality is one of the largest and fastest growing in metropolitan Melbourne.

The municipality is made up of a diverse range of land use types and areas including established residential, industrial and commercial precincts. As noted, this Development Plan relates to land in the Cooper Street South-West Employment Area which is part of the broader Cooper Street Employment Precinct. The precinct is predominantly made up of commercial and industrial land uses.

Cooper Street is the major east-west arterial road linking High Street to Sydney Road, intersecting the Hume Highway approximately halfway

between the two. The precinct is well serviced by key transport infrastructure and connections including the Hume Freeway / Craigieburn Bypass, Western Ring Road, Melbourne Airport and Essendon Airport. The precinct will benefit from the future Outer Metropolitan Ring Road (OMR) and Beveridge Intermodal Freight Terminal (BIFT) which will be key pillars in Victoria's freight and logistics infrastructure.

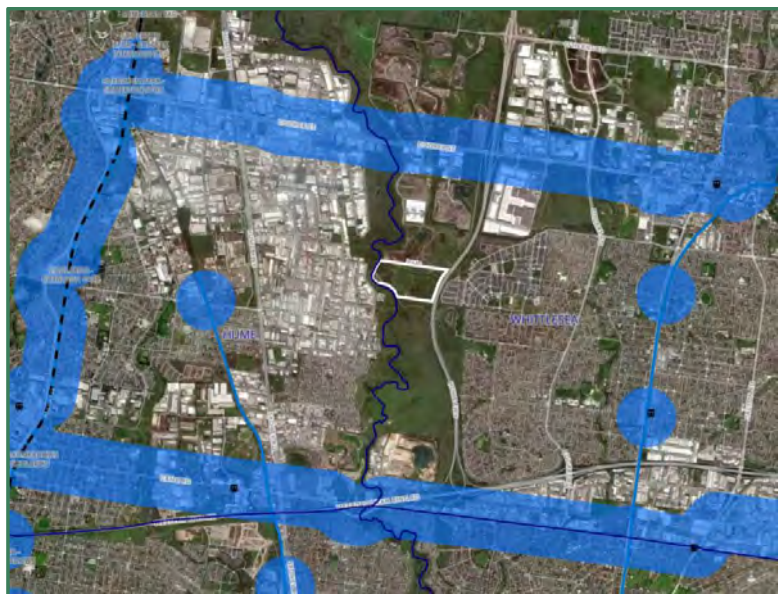


FIGURE 1 - THE DP AREA IN WHITE IS WELL SERVICE BY KEY TRANSPORT INFRASTRUCTURE AND WITHIN A PREDOMINANTLY INDUSTRIAL PRECINCT.

The Development Plan area is bounded by the Merri Creek to the west, the Barry Road Grasslands and Merri Creek Park to the south, the Hume Freeway / Craigieburn Bypass to the east, and 481 Cooper Street to the North. Further east beyond the Hume Freeway the land has been developed for residential purposes.

No. 481 Cooper Street is undeveloped but is subject to a current planning process which includes the provision of the Development Plan to facilitate

industrial development on the land. The land between 481 Cooper Street and the road has been developed for industrial purposes.

The development plan area is irregular in shape and is distinguished by significant level changes throughout, with a number of escarpments, undulations and former quarries. The site falls away sharply at its western boundary (Merri Creek interface). The site is also predominantly obscured from view of the Hume Highway due to a stand of trees beyond the site's eastern boundary and the undulating land.

Please refer to the Planning Report prepared by *proUrban Advisory, Planning & Management* for further details of the Development Plan context.



FIGURE 2 - SITE CONTEXT PLAN

2 Site Context

2.1 Planning Policy Framework

Zone & Overlays

The subject site is affected by the Industrial 1 Zone (IN1Z) and Urban Floodway Zone (UFZ) and the following overlays:

- Environmental Significance Overlay – Schedule 3 (ESO3)
- Design and Development Overlay – Schedule 2 (DDO2)
- Development Plan Overlay – Schedule 33 (DPO33)
- Melbourne Airport Environs Area Overlay – Schedule 2 (MAEO 2)
- Land Subject to Inundation Overlay (LSIO)

Further details of these planning controls are outlined within the Planning Report prepared by *proUrban Advisory, Planning & Management*.

Under the provisions of the Whittlesea Planning Scheme, the site is identified for industrial development. More specifically the following objective is sought:

- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

Further information on the State and Local Planning Policy Framework and relevant particular provisions of the Planning Scheme are provided within the town Planning Report prepared by *proUrban Advisory, Planning & Management*.



FIGURE 3 - THE ZONES AFFECTING THE DP AND SURROUNDS.

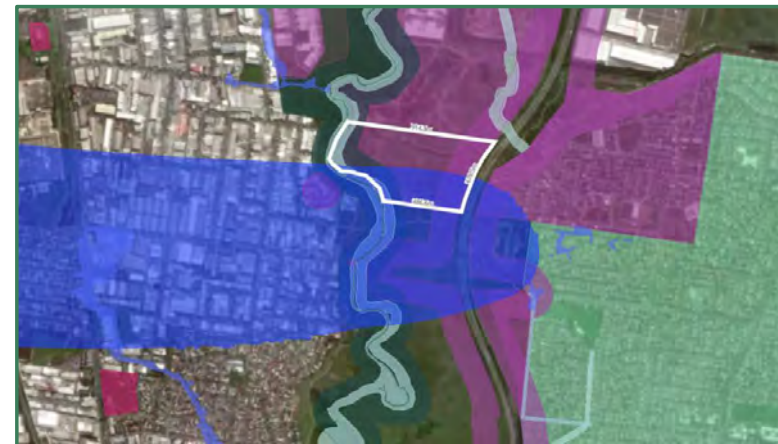


FIGURE 4 - PLANNING OVERLAYS AFFECTING THE DP AND SURROUNDS.

3 Development Plan

3.1 Overview of Development

The Development Plan seeks to provide developable area that will enable industrial development and employment opportunities consistent with the objectives of the Cooper Street South-West Employment Area. In addition to responding to the employment objectives, the Development Plan seeks the retention of a significant portion of vegetation along the Merri Creek interface. The vegetated area is proposed to be incorporated into the Merri Creek Park.

The proposal balances the competing priorities by enabling circa 280,000sqm of development area and approximately 79,000sqm of open space and environmental zone along Merri Creek.

This design will ensure the open space area is functional for both the flora and fauna that will exist on the site as well as the employee population that will utilise the space. Further, situating the open space and vegetation corridor in this location has the further benefit of integrating the estate with Merri Creek.

The open space and vegetation corridor along Merri Creek is proposed to be retained and enhanced, thus providing an opportunity to develop the balance of the site for industrial purposes that will respond to the employment and commercial objectives of the area.

3.2 Development Plan

The proposed Development Plan is shown in Figure 3 and is also incorporated as Appendix 1.

3.3 Site Staging Plan

Figure 1 also provides the indicative staging for the estate.

- Stage 1 will incorporate the delivery of the Stormwater Treatment and road infrastructure as well as the large centrally located development area.
- Stage 2 will incorporate development in the north-west and south-east.
- Stage 3 will incorporate development in the north-eastern portion of the site.

Refer to the Development Plan at Figure 5.

The staging of the site is contingent on the development of the site to the north.

3.4 Future Development Applications

As part of future planning permit application for subdivision and development, in addition to other requirements of the Whittlesea Planning Scheme, the following documentation is required to be prepared to the satisfaction of the responsible authority:

- Kangaroo Management Plan;
 - Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the responsible authority. The Kangaroo Management Plan must be submitted to the Secretary to the Department of Energy, Environment and Climate Change Action (DEECA) for review and the comments of DEECA are to be considered by Council in its assessment of the submitted Kangaroo Management Plan. The submitted Kangaroo Management Plan should include:
 - Strategies to avoid land locking kangaroos, including staging of subdivision.
 - Strategies to minimise animal and human welfare risks.
 - Management and monitoring actions to sustainably manage a population of kangaroos within a suitable

- location.
- Actions to address the containment of kangaroos and to ensure appropriate animal welfare.
- The approved Kangaroo Management must be implemented to the satisfaction of the responsible authority.
- Tree and Native Vegetation Removal and Retention Plan; and
- Conservation Management Plan:
 - Before the certification of any stage of subdivision the permit holder must prepare a Conservation Management Plan for the land. The Conservation Management Plan (CMP) must be prepared to the satisfaction of the responsible authority and must make reference to any Cultural Heritage Management Plan developed for the site.
 - The Conservation Management Plan is to be secured on title via a Section 173 Agreement of the Planning and Environment Act 1987.
 - Action items identified within the Conservation Management Plan must be completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

As part of future planning permit application for use and buildings and works, in addition to other requirements of the Whittlesea Planning Scheme, the following documentation is required to be prepared to the satisfaction of the responsible authority:

- Waste Management Plan,
 - The Waste Management Plan must demonstrate how the capture, collection and disposal of recyclable and non-recyclable waste will occur.
- Construction Environmental Management Plan (including Asbestos Management Plan)

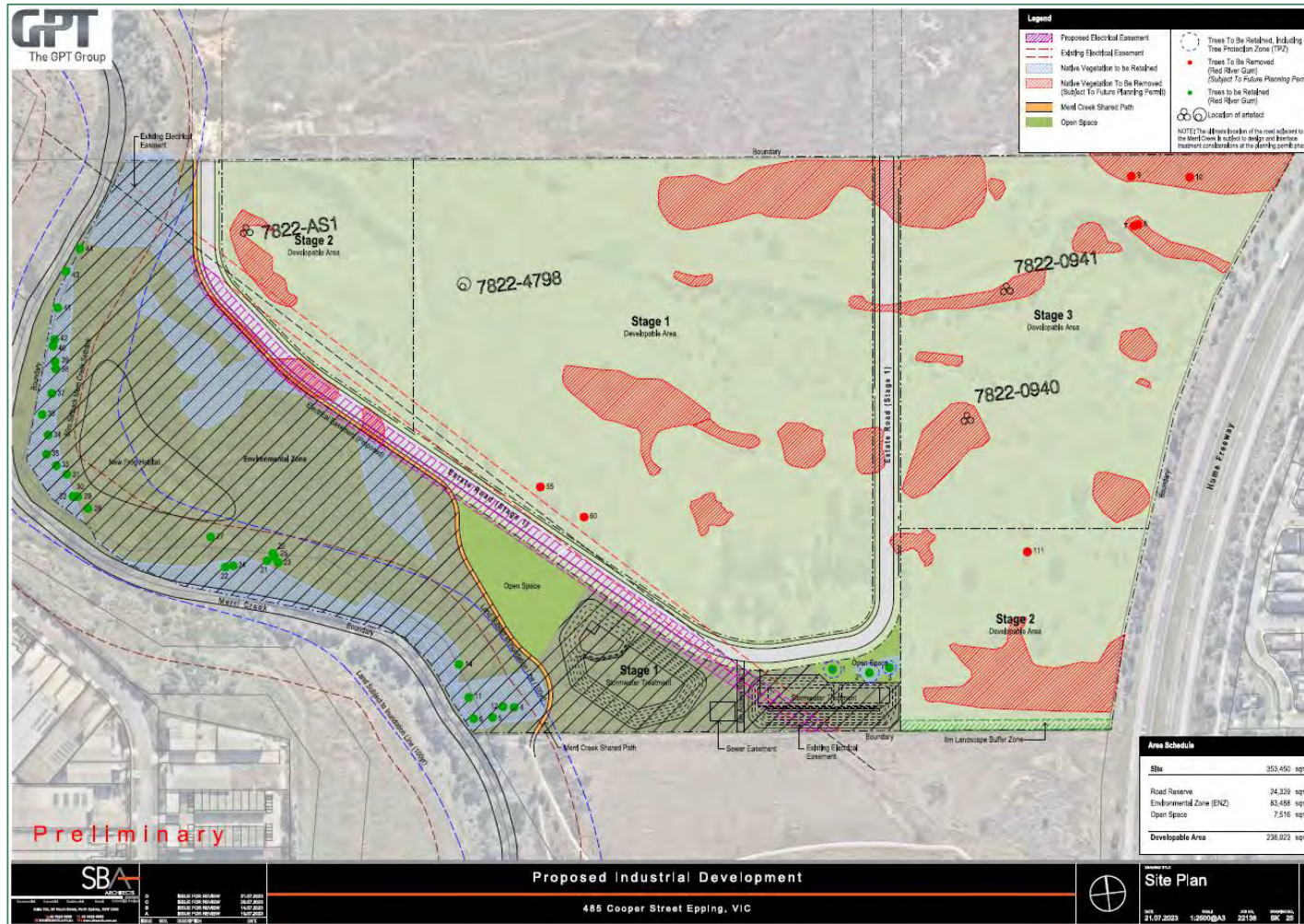


FIGURE 5 - DEVELOPMENT PLAN LAYOUT

4 Design Guidelines

The Development Plan layout has been designed to achieve a high-quality industrial precinct that is environmentally sustainable, promotes visual amenity and appropriately integrates the open spaces and industrial areas. The following design guidelines will assist in ensuring that the future development of the site will be of a high quality.

Setbacks

- Building setbacks must allow for active street frontages and be landscaped to enhance the appearance of the development. Visitor car-parking including landscaping is encouraged near office entry.
- The front building setback is to be landscaped in accordance with City of Whittlesea's Landscape Guidelines for Industrial Development.
- All storage of goods and materials, refuse collection areas and garbage skips will be fully screened from view. Screening materials must be consistent with building and landscaping on site.
- Buildings are to be setback a minimum 6 metres from any boundary adjoining a conservation reserve, habitat corridor or road reserve abutting a conservation reserve/habitat corridor.
- Substations & services should be avoided within the front setback, and a landscape screen should be provided subject to approval from the relevant service provider.

Building Design

- Buildings are encouraged to be of high-quality design and visually attractive.
- Buildings and offices (or dock offices) should orientate themselves to address and provide surveillance of the road network and the parkland areas.
- Building facades of office developments are to be modulated and articulated, which may include architecturally expressing structural elements of the building.
- The provision of articulation and use of glazing, height, variation in

materials and textures and the use of architectural features and Ensure forms and surface treatment strategies is encouraged to provide visual interest.

- The visual impact of large wall expanses is to be reduced in scale by architectural treatment, landscaping and/or the use of colour.
- A dedicated separate 1.5m footpath must be provided from the street to the office entrance.
- Roof design and exposed structures including lift motor rooms, plant rooms, air conditioning, satellite dishes, ventilations and exhaust systems to be suitably screened, integrated and not detract from building appearance.
- Where buildings include side or rear elevations facing an open space or drainage reserve, they should be well articulated and provide a component of glazing for passive surveillance.
- Shadow diagrams must accompany any application for use or development of lots adjacent Environmental Zone or Barry Road Grasslands.
- There is a requirement that no buildings are constructed that would overshadow the Barry Road Grasslands during the hours of 10am – 3pm on 22 June.
- Recommendation to avoid overshadowing of habitat within 50 metres of a wetland or waterway.

Sustainable Design

- All development must have regard to City of Whittlesea's Environmentally Sustainable Development policy found within Clause 15.01-2L of the Whittlesea Planning Scheme. In addition, it is recommended that:
 - Solar Photovoltaic is encouraged for all developments.
 - Electric Vehicle parking space/s and associated charging infrastructure to be encouraged within the estate.
 - Buildings constructed to achieve a Solar Reflectance Index value of greater than 50 by avoiding dark roofs.
 - Consideration of external shading measures particularly to north and western glazing to reduce solar heat gain.

- Encourage buildings to be designed to minimise embodied energy and operational energy consumption in order to reduce lifetime greenhouse gas emissions from the development.
- Maximise on-site infiltration including use of rainwater tanks to maximise rainwater collection and re-use opportunities. Encourage use of large smart rainwater tanks.
- Permeable surfaces, landscaping and Water Sensitive Urban Design (WSUD) treatments should be considered rather than large expanses of hard surfaces.
- Hard surfacing in landscaped areas such as walkways between car parking spaces is to be prioritised as permeable surface.
- Energy-efficient lighting is encouraged to be used to reduce energy consumption and operating costs.

Fencing

- Fencing on the side and rear property boundary should be a black-coloured chain wire mesh or palisade fence to a maximum height of 2.1m.
- Maximise active frontages to the street and adjoining areas by providing architectural treatments when fencing is unavoidable.
- Basalt plinths, (or similar) end walls on corners is encouraged.
- Encourage fences and gates to be integral to the design of building proposed for the site.
- Security fencing should have a high degree of transparency and be located behind the landscape buffer. In the event fencing is required for security purposes for side and rear boundary it is to be plastic coated and encouraged to be no more than two strands of barbed wire.

Uses

- A component of office should be orientated towards the primary street frontage to allow for a sense of address and activation of the street. Alternatively, the office areas should be orientated towards the on-site car parking areas to provide visual surveillance.

- Staff amenity area which includes private outdoor eating and sitting for staff is to be provided on each lot. This area is to have a minimum of 15m² and located away from intrusive sources.

Car Parking and loading facilities

- Car parking within the front setback should be minimised and preferably restricted to visitor parking and all abilities parking. Any car parking located in front of buildings must be adequately screened with landscaping.

Loading and Storage

- Wherever possible, loading facilities are to be located at the side or rear of developments to minimise their visual impact.
- All loading and unloading facilities shall be provided for within the site and screened to the satisfaction of the Responsible Authority.
- Where possible, loading and servicing areas should be designed as an integral part of the development on each site.
- All storage of goods and materials, refuse collection areas and garbage skips will be fully screened from view. Screening materials must be consistent with building and landscaping on site.

Access

- All vehicles, including those delivering to or servicing the site, must be able to enter and leave it in a forward direction.
- Ensure truck/heavy vehicles are able to safely egress the site and do not conflict with the pedestrian/walking environment.

Signage

- Advertising signage should form an integrated part of the building façade, architectural design and the scale of the building.
- The number of signs should be limited to avoid cluttering distraction and unnecessary repetition.
- Each development should provide appropriate directional signage to assist with the movement of pedestrian and vehicular traffic. Directional signage should be of a consistent type and style throughout the development. In general, this signage should explain:
 - Site entries and exits
 - Staff and visitor car parking

- Goods delivery and pick-up
- Reception/office areas

Waste Management

- All waste materials and refuse shall be stored in areas specifically designated for this purpose.
- Waste and refuse storage areas which are external to buildings on the site must be fully screened.
- Storage areas for waste materials and reuse should be an integral part of the design of the buildings.

Lighting

- All premises must provide external lighting to ensure adequate site security.
- All car parking areas should be provided with appropriate lighting to ensure safety and security of users after dark.
- All lighting should be located, directed and baffled to limit light spill beyond the site boundaries.

Maintenance

- All buildings must be maintained in good order and appearance.
- Sites that are not improved or built upon shall be maintained in a clean and neat appearance by the landowner.

Landscaping

- Landscape plans for each site must be prepared in accordance with the City of Whittlesea's Landscape Guidelines for Industrial Development.
- Species selection to favour hardy and drought tolerant species with low maintenance and low watering requirements. Species selection must preference local indigenous species.
- Species selection and maintenance schedules must consider the need to manage weeds, and the potential for exotic species to seed in nearby conservation areas.
- River red gums proposed for retention must form an integrated and protected part of development.
- The front building setback is to be landscaped to minimize the impact of built form and hardscaping as viewed from the public

realm, conservation reserves and open space.

- In large car parking areas of 20 or more car spaces, garden beds with canopy trees, low shrubs and ground covers shall be provided at regular intervals of every 8 continuous car spaces.
- Locate substantial perimeter planting and landscaping around the borders of the estate.

Open Space and Conservation Reserves

- Open space provided within the Merri Creek Marram Baba Corridor must be designed to provide visitor infrastructure and a level of embellishment to the satisfaction of the Responsible Authority
- Appropriate embellishments including rest furniture are to be provided along the shared pathway and in open spaces along the Merri Creek Marram Baba regional parklands to respond to requirements of a regional parkland within the City of Whittlesea Open Space Strategy 2016.
- Shared pathways, facilities and open space provided within the Merri Creek Marram Baba corridor must be designed with safety and functionality at the core of design.
- Tree reserves are to be embellished with seating/rest furniture to encourage multi-purpose use of these reserves.
- Tree reserve boundaries and setbacks from significant trees for retention must be outside of the tree canopy and protection zones, in accordance with City of Whittlesea's Tree Protection Zone requirements.
- Tree reserves, conservation areas and open space where they interface with road reserves and lots must include vehicle exclusion fencing treatments that are visually permeable with pedestrian openings to the satisfaction of City of Whittlesea.

5 Access, Parking and Movement

The Transport Impact Assessment has considered the existing and proposed road network of the surrounding area. The following details are provided within Appendix 2:

- The location of existing roads and intersections;
- The location of future roads and intersections;
- The Principal Public Transport Network connections;
- Traffic management works, including intersection types;
- Indicative traffic generation rates for future land uses and its distribution within the road network; and
- Traffic volumes anticipated for the local road network and connections to the arterial road network, including identification of future upgrade works required.

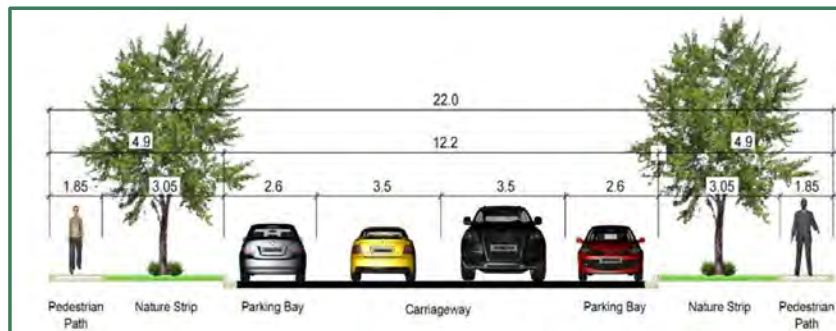


FIGURE 6 – STANDARD ROAD CROSS SECTION

5.1 Proposed Path Network and Industrial Development Plan



FIGURE 7 | PROPOSED PATH NETWORK

6 Stormwater Management Plan and Drainage Strategy

The Stormwater Management Strategy for the site has been developed and provides a best practice solution within the constraints of the existing landform and proposed development layout. The strategy incorporates an on-site detention system to be provided within the southern portion of the site.

A stormwater quantity and quality management strategy has been developed to reduce both peak flows and pollutant loads in stormwater leaving this site. The Stormwater Management for the development has been designed in accordance with Whittlesea City Council and Melbourne Water's water sensitive urban design requirements.

Notes:

- Sodic and dispersive soils will be considered in the Construction Stormwater Management Plan.

Refer to Appendix 3 for further details.

7 Landscape Concept

The Landscape Concept for the site prioritizes the retention and enhancement of landscaping within the identified Merri Creek Park.

7.1 Landscape Plan

Refer to Appendix 4.

7.2 Proposed Road Cross Sections

The road alignment and design will be consistent with the adjacent site to the north.

- A 23.5-metre-wide road cross section will be provided adjacent to the Merri Creek Park. The 12.2m carriageway must be measured from face to face of the kerbs. The cross-section incorporates a 3-metre-wide shared path along the Merri Creek Park alignment. Refer to Figure 8.
- A 22 metre-wide road cross section will be provided throughout the remainder of the estate. 1.85-metre-wide pedestrian paths will be incorporated on both sides of the road. Refer to Figure 6.

In both road cross-sections the road reserve will incorporate:

- Carriageway - 12.2-metre-wide
- Traffic lanes – single lane in both direction
- Parking – parallel parking on both sides of the road.

Additionally, the Landscape Report provides a cross section of the road layout for the road adjacent Merri Creek. Refer to Figure 8. In areas where the road reserve isn't adjacent Merri Creek both pedestrian footpaths are proposed to be 1.85 metres-wide.

7.3 Land Use and Off-Site Amenity Impacts

Landscaping is to be provided within the front boundary and throughout the car parking areas of the future lots. Refer to Figure 9 for an indicative landscape treatment to property frontages.

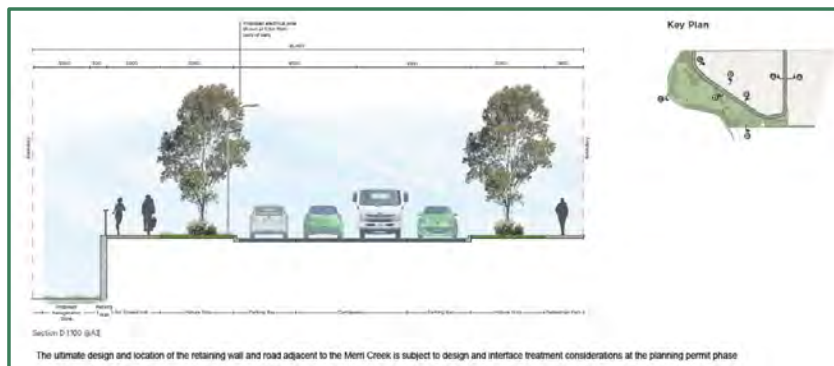


FIGURE 8 - ROAD CROSS SECTION ADJACENT THE MERRI CREEK CORRIDOR



FIGURE 9 - PROPOSED TYPICAL LANDSCAPE FRONTAGE TREATMENT

Notes:

- All paths within the DP area are required to meet DDA requirements.
- Open space to be embellished appropriately with visitor infrastructure by the developer in alignment with City of Whittlesea's Open Space Strategy 2016 and handed over to Council after a maintenance period.

7.4 Merri Creek Interface Objectives

- Protection of conservation values associated with the Merri Creek corridor, including threatened flora and fauna species.
- Avoidance of impacts on cultural heritage.
- Provision for a 3-metre-wide shared trail.
- Minimise the effect of the height, bulk, and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.

7.5 Other Landscape Details

Additional details including the plant species schedule and Merri Creek interface details are incorporated with Appendix 4.

Proposed Merri Creek Park Plan



FIGURE 10 - LANDSCAPE CONCEPT AND MERRI CREEK PARK PLAN

8 Flora and Fauna

8.1 Arborist Report

Refer to Appendix 5, which provides an arboricultural assessment and incorporates the useful life expectancy of each mature tree on the site. The Existing Site Conditions Plan with site contours and tree mapping is shown in Figure 11.

The proposed retention and removal of the River Red Gums is shown on the Development Plan, refer to Figure 5.

8.2 Flora and Fauna

Refer to Figure 12, which confirms the extent of native vegetation to be removed. Further details are provided with Appendix 6.

8.3 Growing Grass Frog Habitat

GGF habitat will be delivered as part of future works for the development of the site, refer to Appendix 6.

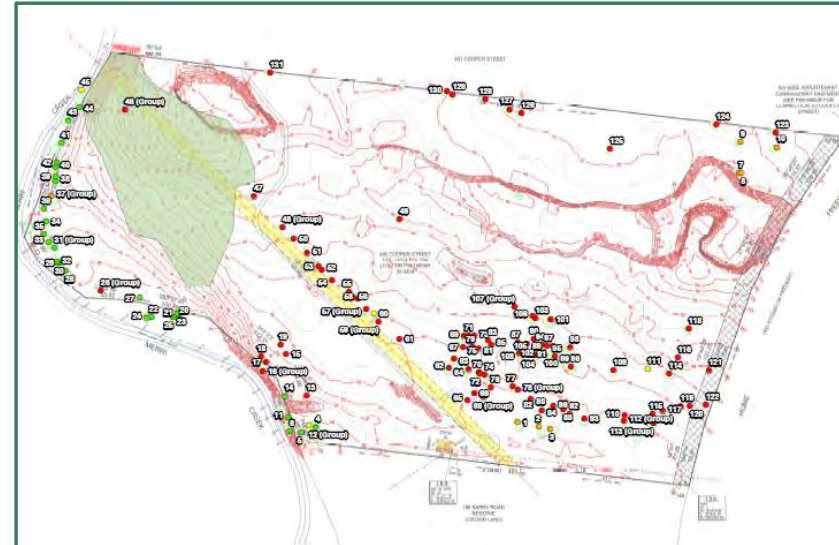


FIGURE 11 | EXISTING CONDITIONS PLAN



FIGURE 12 | NATIVE VEGETATION REMOVAL PLAN

9 Cultural Heritage

Summary of Cultural Heritage Report

Standard and Complex Assessments were undertaken on the site with the following findings.

- The desktop assessment identified two previously registered Aboriginal places within the activity area [VAHR 7822-0940 & VAHR 7822-0941]. The site prediction model identified the margins of Merri Creek (<200m) as being of moderate potential for stone artefacts in a subsurface context to a maximum depth of 30cm. All other Aboriginal place types were considered to have no to low potential to be present.

Standard Assessment

- The standard assessment identified the landforms of the activity area as a creek escarpment and volcanic plain. VAHR 7822-0940 & VAHR 7822-0941 could not be relocated. Previous ground disturbances of the activity area include quarrying, recreational use (golf), illegal dumping, informal tracks, and construction of sewer manholes. Two new Aboriginal places were identified and registered as 485 Cooper Street AS [VAHR 7822-XXXX] and 485 Cooper Street LDAD [VAHR 7822-4798]. Ground surface visibility was very poor and effective surface coverage was less than 10%. Due to the activity area deemed as likely to contain Aboriginal Cultural Heritage based on the standard assessment, a complex assessment was undertaken.

Complex Assessment

- The complex assessment consisted of two 1x1m controlled and manually excavated TPs and 91 5x1m mechanical trenches. Total excavation is 455m² with 1m² containing Aboriginal cultural heritage. Mechanical trench 25, 26, 62, 63, 64 & 65 were abandoned due to

asbestos. The stratigraphic profile identified was silty clay ranging from weak to strong over clay. The soil profile encountered within the TP is consistent with the predicted stratigraphic profile for this landform. Modern debris and fill include were located within 64.8% of mechanical trenches.

Management of Cultural Heritage

- Discussions have taken place with the RAP and approval has been granted for ground salvage of the known artefact scatters identified on the site.

10 Geotechnical

Refer to Appendix 7 and 8 for information on the Site Contamination and Geotechnical assessments. The appendices include:

- An analysis and plan of the existing geotechnical conditions, including areas of cut and fill;
- Identification of any areas of previous excavation or quarrying;
- Potentially Contaminated Land, Preliminary Site Investigation; and
- An environmental assessment identifying any environmental hazards or contamination of the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.

11 Conclusion

This Development Plan has been prepared in accordance with the relevant requirements of the Development Plan Overlay.

The Development Plan is considered to align with the objectives of Development Plan Overlay – Schedule 33 and is supported by the relevant expert assessments which are included as appendices.

The Development Plan balances the objectives of the Industrial 1 Zone while also protecting and enhancing the environmental characteristics of the site's Merri Creek interface. This document will guide the future subdivision and building and works application for the site.

- Appendix 1 – Development Plan (SBA Architects, 5/12/2023) Heritage Advisors 19/01/2024
- Appendix 2 – Transport Impact Assessment (Impact Australia, 19/10/2023)
- Appendix 3 - Stormwater Management Plan (Costin Roe Consulting, 19/10/2023)
- Appendix 4 – Landscape Planning Report (Outerspace Landscape Architects, 20/12/2023)
- Appendix 5 – Arborist Report (Arbor Survey, 08/09/2022)
- Appendix 6 –Flora and Fauna Assessment (Nature Advisory, December 2023)
- Appendix 7 – Geotechnical Assessment (Industrial Park) (AS. James, 20/07/2023)
- Appendix 8a – Soil Contamination Assessment (Edge Group, 06/09/2022 & 22/11/2022)
- Appendix 8b – Soil Contamination Assessment (Edge Group, 22/11/2022)
- Appendix 8c – Environmental Preliminary Site Investigation Cover Sheet (completed by Helia EHS Pty Ltd (formally Edge Group Pty Ltd, 9/10/2023)
- Appendix 9 – Planning Report (proUrban Advisory, Planning and Management, 22/12/2023)
- Appendix 10 – Concept Servicing & Staging Report (Costin Roe Consulting, 27/07/2023)
- Appendix 11 – Site Context Plan (SBA Architects, 20/07/2023)
- Appendix 12 – Habitat Plan (Nature Advisory June 2023)
- Appendix 13 – Cultural Heritage Report (Tardis Archaeology

Attachment 4 – 485 Cooper Street Epping Development Plan Submissions Summary and Officer Response Table

| Key Submission Points | Officer Response |
|---|---|
| 1. Melbourne Water | |
| <p>a) Confirms the Stormwater Management Plan and Drainage Strategy submitted with the proposed Development Plan (DP) has been prepared to the satisfaction of Melbourne Water under Clause 4.0 of DPO Schedule 33. The submission also provides Melbourne Water conditions for future subdivision/development permits.</p> | <p>Noted. The Development Plan is required to be updated to include the future subdivision/development permit requirements (refer 1(b)).</p> |
| <p>b) Specifies that it is a Melbourne Water requirement that prior to any subdivision permit being granted:</p> <ul style="list-style-type: none"> • The final Conservation Management Plan must be submitted to Melbourne Water with access gate design and location included. • A Translocation Plan for Growling Grass Frogs or other species of significance must be submitted to Melbourne Water for approval, in accordance with the draft Conservation Management Plan. | <p>The Conservation Management Plan (CMP) is a planning permit application requirement in the Development Plan Report.</p> <p>The Development Plan is required to be updated to include the requirement that Melbourne Water approve a Translocation Plan for Growling Grass Frogs or other species of significance prior to the granting of a planning permit.</p> |
| 2. CFA Fire Prevention and Preparedness (Vic) | |
| <p>The CFA supports the proposed development plan in its current form, and noted the site can be exposed to fast running grass fire events. As such, the DP layout should include the outer road reserve to provide a buffer adjacent to the Cooper Street Grasslands area.</p> | <p>The Development Plan is required to be updated to include the planning application guidelines from Section 04 of the Landscape Strategy, including a 6-metre-wide fire buffer added to the DP layout against the developable area.</p> |
| 3. Department of Energy, Environment and Climate Action (DEECA) | |
| <p>DEECA acknowledges that the Landscape Concept Plan incorporates their previous recommendations.</p> <p>DEECA comments that the Development Plan does not adequately respond to the existing biodiversity and that opportunities to avoid and minimise impacts to native vegetation and habitat of threatened species should be explored.</p> | <p>Noted. It is recommended that the Development Plan is revised to retain Patch A and that opportunities are explored to retain Patch AB noting the retention of Patch AB would be subject to further detailed design due to implications on the stormwater retention basin.</p> |
| 4. Department of Transport and Planning | |

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| States that the Head, Transport for Victoria has assessed the proposed Development Plan and has no objections to the proposal. | Noted. |
| 5. Merri Creek Management Committee (MCMC) | |
| a) Requests that the strategic directions and actions of the marram baba Parklands (the Parklands) Future Directions Plan 2023 are reflected in the Development Plan. | The role of the Future Directions Plan 2023 is to provide guidance for co-management of the Parklands to support more detailed planning to deliver on-ground actions. The parkland partners (including Council) are responsible for co-management, noting the planning process is aimed at supporting the cultural heritage and environmental values of the park. |
| b) Requests naming conventions to be updated in the Development Plan from Merri Creek Park to marram baba Parklands and Barry Road Grasslands to galada tamboore Grasslands. | Change supported. It is recommended that the Development Plan is updated to include the requested naming conventions. |
| c) Requests the removal of “Environmental Zone” label from the creek corridor. | Change supported. It is recommended that the area along the Merri Creek Corridor is renamed for consistency (noting it is Merri Creek Park in the Landscape Strategy and will ultimately form part of marram baba Regional Parklands). |
| d) In the design guidelines, requests the wording is strengthened relating to light spill to ensure light spill is limited beyond the site boundaries. | Change supported. It is recommended that section 4 Lighting is updated with the following wording change: All lighting should must be located, directed, and baffled to limit light spill beyond the site boundaries. Development Plan report to also be updated to include the planning application guidelines from Section 04 of the Landscape Strategy. |
| e) In the design guidelines include reference to ensuring visitor infrastructure does not impact native vegetation. | Change supported. It is recommended that Section 4 Open Space and Conservation Reserves is updated with the following wording change: Shared pathways, facilities and open space provided within the Merri Creek marram baba corridor must be designed with safety and functionality at the core of design and located to avoid impacting native vegetation. |
| f) Revise wording to ensure that the prevalence of sodic and dispersive soils is considered in the Construction Stormwater Management Plan. | Change supported. It is recommended that Section 6 Stormwater Management and Drainage Strategy is updated to include the following: “sodic and dispersive soils will be considered in the Construction Stormwater Management Plan to ensure the correct controls are implemented, as standard erosion controls, such as silt fences, and conventional sediment controls, such as sediment basins do not work with sodic and dispersive soils”. |

| | |
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| <p>g) Revise labelling of frog habitat in the “Environmental Zone” to be Growling Grass Frog (GGF) habitat and include reference to Growling Grass Frog Habitat Design Standards (DELWP 2017).</p> | <p>Change supported.</p> |
| <p>h) Replace Appendix 12 Habitat Management Plan with draft Conservation Management Plan</p> | <p>No action required at this stage. Council has previously provided a request to structure the draft Conservation Management Plan in accordance with Council requirements. The document will need to be updated before being submitted as an application requirement for a future planning permit application.</p> <p>It is recommended that Section 3.4 Future Development Applications is updated to include the following wording (revised wording in bold):</p> <p>Conservation Management Plan: Before the certification of any stage of subdivision the permit holder must prepare a Conservation Management Plan for the land. The Conservation Management Plan must be prepared to the satisfaction of the responsible authority, make reference to any Cultural Heritage Management Plan developed for the site, incorporate proposed open space in the marram baba Parklands corridor, include the retention of native vegetation in accordance with the resolution of City of Whittlesea (see note) and include a Translocation Plan for Growling Grass Frogs and/or other species of significance.</p> <p>Note: For the purposes of this report, the officer recommendation is the retention of Patch A (and if possible, Patch AB).</p> |
| <p>i) Revise the Stormwater Management Strategy to include an intent to ensure:</p> <ul style="list-style-type: none"> • the design of the detention and bioretention basins enhance biodiversity and amenity values noting the interface to marram baba Parklands. • the design considers maintenance and mowing access along the southern boundary (including batter slope) without requiring access from Parks Victoria land. | <p>Noting the stormwater treatment appears to occur within the proposed Merri Creek Park (Figure 10), these two requests are a reasonable requirement that can be dealt with via notes on the plans in the Development Plan report. The retention of Patch AB will rely on the redesign of the retention basin.</p> |

| | |
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| <ul style="list-style-type: none"> the hydrological relationship between the site and galada tamboore grasslands is addressed to ensure development does not negatively impact overland flows and shallow sub-surface flows to the south. | <p>The relevant elements of the SWMS are to be included in the Development Plan report to address the hydrological relationship between the site and galada tamboore Grasslands (S.6).</p> |
| <p>j) Revise the Landscape Strategy to include the following:</p> <ul style="list-style-type: none"> Species selection for the 8m buffer on the southern boundary has not been specified. Street tree planting on interface roads is to be locally indigenous Eucalypts, with seed stock locally sourced. The firebreak areas (where there is no edge road on boundaries) are to be within private land and managed with a mown/slashed grass area 6 metres wide. Road setback from escarpment in the north-west of the site to ensure native vegetation is not affected by batters/retaining walls and ensure that maintenance access is available. | <p>The planning application guidelines from Section 04 of the Landscape Strategy address this issue. Development Plan report to be updated to include the planning application guidelines from the Landscape Strategy.</p> <p>The planning application guidelines from Section 04 of the Landscape Strategy address this issue. Development Plan report to be updated to include the planning application guidelines from Section 04 of the Landscape Strategy.</p> <p>The planning application guidelines from Section 04 of the Landscape Strategy address this issue. Development Plan report to be updated to include the planning application guidelines from Section 04 of the Landscape Strategy.</p> <p>Amend existing note to say: The ultimate location of the road adjacent to Merri Creek is subject to design and interface considerations, including impacts to native vegetation, at the planning permit stage.</p> |
| <p>k) Suggests an additional permit condition: recommendation for subdivision permit conditions to manage risk to wildlife during development as a result of subdivision through survey, salvage and translocation prior to development.</p> | <p>Change supported. It is recommended that Section 7 Planning Permit Application Requirements is updated to include the following wording: Assessment of the waterbodies and their environs for fauna is a requirement prior to the commencement of subdivision with appropriate survey, salvage and translocation provisions by suitably qualified professionals.</p> |
| <p>l) States that development proposal will not demonstrate the principles of Avoid and Minimise if the entire development area is cleared of native vegetation. Recommendation to improve the avoidance requirement is</p> | <p>Change supported. See point 3 (DEECA) above.</p> <p>Change required to S 8 of the Development Plan report: Development Plans include recommendations for vegetation retention and do not pre-</p> |

| | |
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| <p>to retain Habitat Zones A and AB as a congruous area with galada tamboore grasslands.</p> | <p>approve vegetation removal. Whilst there has to be discretion to remove vegetation at the planning permit stage due to the circumstances of the timing and the proposal (even if that vegetation has been recommended for retention in the development plan), there would be an intent to retain habitat of equivalent quality and strategic significance. As such, the plans at Section 8 that show vegetation for removal are to be deleted from the report.</p> <p>Noting the application requirement for a Conservation Management Plan and Translocation Plan for Growling Grass Frog to be included at page 7, it is recommended that this section (8.3) be populated with the relevant detail relating to the construction of the Growling Grass Frog Habitat Wetland and translocation of Growling Grass Frog and/or other significant species. If neither Appendix 6 nor Appendix 12 contain any relevant information (which appears to be the case) please reference the Growling Grass Frog Habitat Design Standards (DELWP 2017).</p> |
|--|--|

5.3 Station Road, Mernda Development Plan

Director/Executive Manager: Director Planning & Development

Report Author: Strategic Planner

In Attendance: Acting Manager Strategic Futures
Strategic Planner

Attachment 5 of this report has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Executive Summary

The purpose of this report is to consider the *Station Road Development Plan (Development Plan)*, prepared by Whiteman Property and Associates on behalf of Mercator Development Pty Ltd. The *Development Plan* affects all seven properties in the precinct which is bound by Plenty Road to the west, Station Road to the east and Station Lane to the south (1470 Plenty Road, 1480 Plenty Road, 1490 Plenty Road, 1500 Plenty Road, 2 Station Road, 4 Station Road, and 10 Station Road, Mernda).

The proposed *Development Plan* (refer Attachment 1) has been prepared in accordance with the provisions of Schedule 5 to the Development Plan Overlay (DPO5) at Clause 43.04 of the Whittlesea Planning Scheme and the *Mernda Strategy Plan 2016 (MSP)*. The objective of the proposed Development Plan is to guide development of the precinct for residential purposes, in accordance with the key objectives set out in the MSP.

The *Development Plan* envisages a residential neighbourhood for approximately 500 future residents living in walkable distance to a range of services including shops, public transport and open space. The dwelling stock will predominantly be medium density (townhouses) with a small amount of conventional density (single detached dwellings). A connected street network will provide access to homes and link into the established road network. The existing site features, including heritage sites, indigenous trees and native vegetation, will provide amenity and a sense of place for the future neighbourhood.

The draft *Development Plan* (refer Attachment 2) and supporting documents were placed on non-statutory exhibition in October 2023. Landowners within the precinct, neighbouring properties, and relevant agencies were notified and provided the opportunity to comment on the proposal. A total of 13 submissions were received from affected and adjacent landowners/residents as well as agencies.

In response to submissions, officers recommended a number of changes be made to the exhibited documents which have generally been incorporated into the current *Development Plan* (refer Attachment 1). There are seven additional changes which Council Officers recommend relating to road reservation width, open space network, density of housing, native vegetation and a pedestrian connection.

The *Development Plan*, with the recommended changes, meets the relevant statutory requirements and satisfactorily responds to the existing site features and constraints. The *Development Plan* provides logical connections to the external road network, retention of native vegetation, conventional and medium density residential areas and protection of heritage places. As such, it is recommended that the plan be noted by Council in its current form and that Council authorise the Chief Executive Officer to approve the *Station Road Development Plan* upon the recommended changes being made to the Development Plan documents.

Officers' Recommendation

THAT Council:

1. Note the *Station Road Development Plan* at Attachment 1 and non-statutory exhibition outcomes as detailed in this report and Attachments 4 and 5.
2. Endorse the following recommended changes to the proposed *Station Road Development Plan*:
 - a. All local road reserves to be 16 metres in width to accommodate a footpath on both sides of the road reserve.
 - b. A minimum 10 metre wide reserve must be provided between the bioretention basin reserve and the east-west local road within Property 7.
 - c. The south-west corner of Property 7, between the north south local road and heritage dwelling within Property 6 depicted as 'conventional density'.
 - d. The east-west green link within Property 3 is defined as a pedestrian link in the *Station Road Development Plan* and Traffic Engineering Report.
 - e. The following text is included at Section 7.2.6: *The River Red Gums, including juvenile River Red Gums will be maximised throughout the Development Plan area as part of the detailed subdivision design prepared at the planning permit stage.*
 - f. The following text is included in the *Station Road Development Plan*: *In relation to the Station Lane widening, the adjoining Mernda Town Centre North East Development Plan states the following: Development of the Development Plan may potentially require its reservation to be widened to 20m to allow for a bus service to operate. Should Station Lane not be required to accommodate a bus service the ultimate reservation can be re-negotiated at the planning permit application stage.*

- g. The 4m wide paper road adjoining the western side of Station Road is extended along 10 Station Road.**
- 3. Authorise the Chief Executive Officer to approve the *Station Road Development Plan*, once the changes outlined in point 2 (a-g) are made into an updated version of the *Development Plan*.**
- 4. Note that Council Officers will notify the proponent, submitters and all landowners within the precinct of Council's decision.**
- 5. Authorise the Chief Executive Officer to appoint officers to represent Council and instruct any legal representation at any Victorian Civil and Administrative Tribunal hearing or pre-hearing practice days including compulsory conferences, conducted in respect to the Development Plan.**

Background / Key Information

Site Context

The subject area is located in the Mernda Strategy Plan area immediately north of the Mernda Town Centre and in proximity to the Mernda Train Station and future Mernda Regional Sports Precinct (RSP).

The area is triangular in shape with an overall combined area of approximately 5.39 hectares. The area includes seven properties of various sizes generally bound by Plenty Road to the west, Station Road to the east and Station Lane to the south. Refer Attachment 3 for the Context Plans of the *Development Plan* area.

The precinct is largely undeveloped, except for a small number of residential properties and other buildings and reflects the previous rural/township character of the area. The precinct does contain the St Joseph's Church, which has a Heritage Overlay (Schedule 69 in the Whittlesea Planning Scheme). Graff's House, located adjoining the St Joseph's Church, also has a Heritage Overlay (HO21). Graff's House was burnt down in 2015 and the planning permit which was then issued included a condition to provide a heritage reserve with interpretation of the house. St Joseph's Church and Graff's House are located at 1490 Plenty Road and 1480 Plenty Road respectively.

The site at 1470 Plenty Road, located in the southwest corner of the Development Plan area, also contains a dwelling of local heritage significance that is not currently included within the Heritage Overlay. Council Officers are currently investigating the application of an interim Heritage Overlay to the land. A Council initiated heritage assessment has been undertaken which supports the application of the Heritage Overlay to the land.

Beyond the precinct, the subject site abuts the developing Mernda Town Centre to the south and the stabling for Metro Trains to the east. On the opposite side of Plenty Road, to the west will be the Mernda RSP. In addition, the Mernda Train Station is located 300 metres to the south of the precinct.

Planning Context

The subject site is in the General Residential Zone - Schedule 1 (GRZ1) of the Whittlesea Planning Scheme. The primary purpose of the GRZ1 is to provide a diversity of housing types and housing growth, particularly in locations offering good access to services and transport.

The subject site is within the Incorporated Plan Overlay – Schedule 1 (IPO1) which applies the *Mernda Strategy Plan 2016* (MSP) to the precinct. The subject area is included within Precinct 3 of the MSP which identifies it for medium density residential use due to its proximity to the Mernda Town Centre. The MSP identifies that heritage places within the precinct such as 'Graff's farmhouse' and St Joseph's Church are to be protected.

The site is affected by the Development Plan Overlay – Schedule 5 (DPO5) which requires the approval of a Development Plan before a permit can be granted to use and develop the land.

The site is also affected by a number of additional overlays, including:

- Vegetation Protection Overlay – Schedule 1
- Heritage Overlay (HO21 and HO69)
- Development Contributions Plan Overlay – Schedule 9
- Public Acquisition Overlay – (PAO15)

Further detail on the planning framework has been provided later in the report (Council Policy Considerations/Planning Ordinance).

Development Plan Proposal

The draft *Development Plan* has been prepared by Whiteman Property and Associates on behalf of Mercator Developments Pty Ltd (the proponent), in accordance with the provisions of DPO5 as well as the Mernda Strategy Plan. Refer to Attachment 1 for the updated *Development Plan*.

Mercator Developments Pty Ltd are the landowners of 1480 Plenty Road which is identified as property 5 and property 7 on the *Development Plan*. The two lots combined equates to an area of approximately 2.2 hectares which makes them the largest landowner in the Development Plan precinct.

One (or multiple) property owners can submit a Development Plan, for consideration by Council, that affects other properties within the area. In accordance with Section 4.0 of DPO5 there should be regard for the intent that Development Plans should encompass larger land parcels rather than individual landholdings.

Specifically, the *Development Plan* proposes:

- The use and development of the site for mostly medium (townhouses) and conventional density (single detached dwelling on a lot) residential purposes. The *Development Plan* defines medium density as lot sizes between 150-300 square metres and conventional density as between 300-450 square metres. It is expected that the *Development Plan* will guide the development of approximately 155 new homes. When fully developed the precinct will be home to approximately 500 residents.
- Protection of native vegetation, including the retention of River Red Gums and remnant vegetation within a tree reserves. A more detailed assessment is required at the planning permit stage to determine the appropriateness of removing any vegetation that requires a planning permit for removal;
- Internal pedestrian and cycling connections linking to the broader network;

- There are four proposed bioretention basins (vegetated areas that are designed to treat small quantities of stormwater) as a water sensitive urban design measure;
- Noise attenuation measures within the north-east of the site to address noise disturbance due to the train stabling facility. Measures include a noise barrier interface and built form treatment to dwellings along the eastern boundary of 1500 Plenty Road;
- An internal road layout that integrates with the external road network. No access is provided to Plenty Road and access to Station Road (as currently proposed by the *Development Plan*) is subject to approval from VicTrack at the planning permit stage. Feedback was sought from VicTrack during non-statutory exhibition with no response received. Consideration for Everton Drive/Plenty Road/Intersection and plenty road widening which is a project constructed by Council and Plenty Road widening; and
- Protection of the heritage places identified within the precinct. The layout retains St Joseph's Church and ensures sightlines to the church are maintained. An open space reserve is provided in the location of the remains of Graff's House for heritage open space and interpretation. Additionally, the Development Plan process identified the dwelling at 1470 Plenty Road as being of local heritage significance to be considered for heritage protection under a separate planning process.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

Liveable Neighbourhoods

Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

The proposed *Development Plan* facilitates the development of the precinct for residential purposes, contributing to housing diversity in the Municipality, providing active transport links, a permeable street network, the protection of heritage places and the retention of native vegetation.

Considerations of Local Government Act (2020) Principles

Financial Management

The proponent has paid a statutory fee to Council for the assessment of the Development Plan.

Community Consultation and Engagement

The draft *Development Plan* was placed on non-statutory exhibition over a four-week period from 2 October 2023 to 30 October 2023. During this time neighbouring landowners and relevant agencies and organisations were notified of the Development Plan proposal and invited to provide feedback.

While there is no statutory requirement to undertake exhibition on a proposed Development Plan, it is Council practice to engage affected parties and obtain feedback. Refer Attachment 2 for the exhibited version of the *Development Plan*.

A total of 12 submissions were received during the non-statutory exhibition period from local owners/residents and statutory agencies. An additional late submission was received from the Department of Transport and Planning making it a total of 13 submissions. Many of the submissions provided property-specific feedback whilst there were a small number of consistent themes.

The issues raised in the submissions and officers' response are detailed in Attachment 4 and the confidential Attachment 5 and key issues are summarised below. Following non-statutory exhibition, Council Officers requested consent to include submissions from adjacent and adjoining landowners/residents as a public attachment to the Council Report. Those that did not provide consent are included as at Attachment 5 which is confidential.

Equitable distribution of infrastructure

A consistent theme amongst landowners within the precinct, was that the proposed layout has a disproportionate impact on some properties within the precinct compared to others for the provision of infrastructure such as roads and bioretention basins.

In response to this submission the location and distribution of infrastructure has been reviewed. Specifically, in response to this issue, the proposed bioretention basin has been relocated from Property 8 to the eastern boundary of Property 7 in accordance with the Stormwater Management Strategy for the *Development Plan*. Overall, it is considered that the *Development Plan* provides for the equitable distribution of infrastructure noting the need to provide internal road connections that link into the existing street network.

Widening of Station Lane

A number of submissions from properties in an adjoining *Development Plan* precinct to the south raised opposition to the proposed widening of Station Lane and the land which will be required to accommodate it.

The Station Lane widening is contemplated in the proposed *Development Plan*, and also in Mernda Town Centre North East Development Plan (MTCNE Development Plan) located directly to the south of the *Development Plan* area. The MTCNE Development Plan includes the following statement in relation to Station Lane, "Development of the Development Plan precinct may potentially require its reservation to be widened to 20m to allow a bus service to operate. Should Station Lane not be required to accommodate a bus service the ultimate reservation can be re-negotiated at the planning permit application stage."

In response to these submissions a recommendation of this report is that the *Development Plan* is updated to include a statement that is consistent with the MTCNE Development Plan, and that provides for greater flexibility at the planning permit application stage.

Consultation with key stakeholders

Some submissions raised issues with the adequacy of the consultation process and did not wish to be included in the *Development Plan* area.

To provide adjoining and affected property owners with the opportunity to comment on any proposed *Development Plan* Council undertakes non-statutory exhibition for a period of 28 days. Following this any submissions received during this period are reviewed and updates to the *Development Plan* are made in response to issues raised in submissions.

Some submitters did not want their property to be included in the *Development Plan* area. The reason the *Development Plan* applies to the entire area is to ensure that the precinct is developed in an integrated manner including roads and drainage systems which connect. For this reason, the DPO5 control which applies to the land required that the *Development Plans* be prepared for precincts rather than individual landholdings.

Native Flora and Fauna

One submission raised concerns that further assessment of the native flora and fauna within the *Development Plan* area was required to ensure that an acceptable layout has been determined.

Development Plans include recommendations for vegetation retention and do not pre-approve vegetation removal. Native vegetation removal will be assessed at the planning permit stage.

The *Development Plan* has been updated to include greater consideration of potential biodiversity values in Property 8 which was not assessed as part of the *Development Plan*. The *Development Plan* has also been updated to include additional statements supporting the retention and protection of native vegetation at the planning permit stage.

Changes to exhibited Development Plan

A number of changes have been made to the exhibited version of the *Development Plan* (refer to *Attachment 1*) in response to the feedback received during non-statutory exhibition. The submissions and Council Officer response and recommendations are detailed at Attachment 4.

In addition to the changes made post exhibition, seven additional changes to the *Development Plan* are recommended. These additional changes can be summarised as:

- All local road reserves to be 16 metre in width. This is to ensure that the local roads accommodate a footpath on both sides of the road reserve consistent with Councils Urban Development Guidelines.
- A 10 metre wide reserve must be provided between the bioretention basin reserve and the east-west local road within Property 7. This is to ensure that the bioretention reserve has at least a secondary road frontage and to protect additional vegetation. There may be opportunity for this reserve to be enhanced with a reserve on the adjoining property which would also provide for the protection of additional vegetation.
- The south-west corner of Property 7, between the north south local road and heritage dwelling within Property 6 depicted as 'conventional density' to provide transitional density in proximity to the potential heritage site.
- The east-west green link within Property 3 is defined as a pedestrian link in the Station Road Development Plan and Traffic Engineering Report updated to ensure that a pedestrian path is provided through this link.
- The following text is included at Section 7.2.6: *The retention of River Red Gums, including juvenile River Red Gums will be maximised throughout the Development Plan area as part of the detailed subdivision design prepared at the planning permit stage.* This is required to maximise the retention of River Red Gums throughout the site in accordance with the Whittlesea Planning Scheme.
- The following text is included in the *Development Plan*: *In relation to the Station Lane widening, the adjoining Mernda Town Centre North East Development Plan states the following: Development of the Development Plan may potentially require its reservation to be widened to 20m to allow for a bus service to operate. Should Station Lane not be required to accommodate a bus service the ultimate reservation can be re-negotiated at the planning permit application stage.*
- The paper road along the western side of Station Road is extended through along 10 Station Road to provide for the continuation of the paper road noting that approval from VicTrack and PTV is required for access to Station Road (noting the reserve is owned by the State Government and is not a Council road reserve) along the eastern interface of the *Development Plan* area.

Other Principles for Consideration as per the *Local Government Act (2020)*

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.
- (b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

- (d) The municipal community is to be engaged in strategic planning and strategic decision making.
- (h) Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the Local Government Act or any other Act.

Council Policy Considerations

Environmental Sustainability Considerations

The proposed *Development Plan* seeks to retain significant native vegetation within passive open space reserves. The *Development Plan* also provides water sensitive urban design measures through providing bioretention basins to treat stormwater.

Social, Cultural and Health

The proposed *Development Plan* provides for the protection of identified heritage places which contributes to the social and cultural fabric of the Municipality. The *Development Plan* may have positive health impacts by providing for additional housing within walking distance of the Mernda Train Station and Mernda Town Centre.

Economic

The approval *Development Plan* will have a positive economic by supporting the development of the land for the construction of additional housing.

Legal, Resource and Strategic Risk Implications

In accordance with Section 149 of the Planning and Environment Act 1987 a specified person may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of the decision.

Planning Ordinance (Whittlesea Planning Scheme)

Planning Policy Framework

Following the recommended changes, the *Development Plan* will be generally consistent with the provisions and objectives of the Planning Policy Framework of the Whittlesea Planning Scheme, including:

- Clause 11 - Settlement: The *Development Plan* responds to the needs of the community by providing for a diversity of housing and open space.
- Clause 12 - Environmental and Landscape Values: The *Development Plan* responds to site features and constraints, including the existing vegetation and topography.

- Clause 12.01-1L – River Red Gum protection: The *Development Plan* and suggested changes outlined in this report provide for the protection and retention of River Red Gums.
- Clause 15 - Built Environment and Heritage: The *Development Plan* protects the heritage places and responds appropriately to the surrounding landscape and character.
- Clause 16 - Housing: The *Development Plan* increases the supply of housing which will provide a diversity of options to meet community needs.
- Clause 18 - Transport: The *Development Plan* provides a permeable internal road layout that connects with the external road network, as well as pedestrian and cycling connections.

Planning Controls

General Residential Zone - Schedule 1 (GRZ1):

The purpose of the GRZ1 is to encourage a diversity of housing types and housing growth in locations offering good access to services and transport.

Incorporated Plan Overlay - Schedule 1 (IPO1):

IPO1 incorporates the Mernda Strategy Plan (MSP). The MSP is the primary strategy plan guiding the development of Mernda and identifies the subject site as being medium density residential. The Development Plan generally accords with the MSP.

Schedule 5 to the Development Plan Overlay (DPO5):

The proposed Development Plan satisfactorily responds to the requirements of DPO5, in particular:

- Generally, in accordance with the Mernda Strategy Plan and associated Precinct Plans.
- Retention and integration of individual and stands of mature trees.
- Recognition of important landscape views and vistas.
- Conservation and protection of Aboriginal and European cultural heritage places.
- Opportunities for a diverse range of allotment densities and dwelling types.
- Provision of a road network providing a high degree of connectivity and external and internal permeability.
- An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.
- The location of any detention tanks, drainage retarding basins or other utility infrastructure required to service the neighbourhood.

Heritage Overlay (HO21):

HO21 applies to 1480 Plenty Road weatherboard house adjoining the St Joseph's Catholic Church – Graff's House. Includes weatherboard house and picket fence. Planning Permit No. 716367 provided planning permission to demolish the remains of Graff's House (after it was damaged by fire) and included a condition for the provision of a heritage reserve providing interpretation of the site. This requirement has been incorporated into the *Development Plan*.

Heritage Overlay (HO69):

HO69 applies to 1490 Plenty Road, St Joseph's Catholic Church, including bluestone church, drystone walls and mature trees. The *Development Plan* maintains sightlines to the church.

Vegetation Protection Overlay – Schedule 1 (VPO1):

The purpose of VPO1 is to preserve and maintain significant vegetation. A planning permit is required to remove, destroy or lop native vegetation. An arboricultural assessment of existing River Red Gums is a planning permit application requirement.

Public Acquisition Overlay (PAO15):

Land acquisition by Whittlesea City Council at 1470 Plenty Road Mernda to facilitate the upgrade of the Everton Drive and Plenty Road intersection.

Development Contributions Plan Overlay – Schedule 9 (DCPO9):

The subject site falls within Precinct 3 of the Mernda Strategy Plan which means that there is currently an error in the DCPO7 and DCPO9 boundaries. Development Contributions Plan Overlay – Schedule 7 should apply to the subject site.

Other Relevant Planning Documents:

The *Development Plan* has also been assessed against other relevant planning documents including:

- City of Whittlesea's Guidelines for Urban Development.
- Victorian Planning Authority (VPA) Engineering Design and Construction Manual (EDCM).

Implementation Strategy**Communication**

The Council Decision will be communicated to the proponent and the submitters.

Critical Dates

December 2021 – *Station Road Development Plan* submitted to Council.

October 2023 – Non-statutory Exhibition of the *Station Road Development Plan*.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that so disclosable interests have been raised in relation to this report.

Attachments

1. Attachment 1 - Updated Station Road Development Plan, April 2024 [5.3.1 - 53 pages]
2. Attachment 2 - Exhibited Draft Station Road Development Plan, August 2023 - plan only [5.3.2 - 1 page]
3. Attachment 3 - Station Road Development Plan Context Maps [5.3.3 - 2 pages]
4. Attachment 4 - Station Road Development Plan Submission Summary and Officer Response Table [5.3.4 - 6 pages]
5. CONFIDENTIAL REDACTED - Attachment 5 - Station Road Development Plan Submission Summary and Officer Response Table- Confidential [5.3.5 - 3 pages]



Station Road Development Plan

March 2024

Prepared on behalf of Mercator Developments Pty Ltd

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APPENDIX 1: SURVEY PLAN

APPENDIX 2: ARBORICULTURAL ASSESSMENT AND REPORT PLAN

APPENDIX 3: BIODIVERSITY ASSESSMENT

APPENDIX 4: HERITAGE ASSESSMENT

APPENDIX 5: CONTAMINATION ASSESSMENT

APPENDIX 6: TRAIN NOISE ASSESSMENT

APPENDIX 7: DRAINAGE AND ENGINEERING SERVICING STRATEGY REPORT

APPENDIX 8: STORMWATER MANAGEMENT STRATEGY

APPENDIX 9: DEVELOPMENT PLAN PACKAGE

APPENDIX 10: TRAFFIC ENGINEERING ASSESSMENT

1 Executive Summary

Proposal Summary: The preparation of a strategic document to guide infill development within the subject area, adjoining the Mernda Town Centre, which will transition to a medium density residential precinct. The Station Road Development Plan (SRDP) aims to assist Council assessing future planning permit applications for subdivision, land use and development. The SRDP is prepared in accordance with the applicable provisions of the Whittlesea Planning Scheme and *Mernda Strategy Plan 2008*.

Development Plan Area: The Development Plan incorporates eight (8) properties located to the north-east of the Mernda Town Centre (see Figure 1). The triangular shaped SRDP area is generally bounded by Plenty Road to the west, Station Lane road reserve to the south and Station Road to the east.

Site Area: The overall combined area is 5.39 hectares (approx.).

Overarching Strategic Document: *Mernda Strategy Plan 2008* (prepared by Whittlesea City Council)

Zone: General Residential Zone (Schedule 1)

Overlays: Development Contributions Plan Overlay (Schedule 9), Development Plan Overlay (Schedule 5), Heritage Overlay (Schedule 21 & 69), Incorporated Plan Overlay (Schedule 1), Vegetation Protection Overlay (Schedule 1), Public Acquisition Overlay (Schedule 15)

Existing Development Plans in the Surrounding Area: Mernda Town Centre North-East Development Plan (immediately to the south); Mernda Town Centre Development Plan; Mernda Town Centre North-West Development Plan.

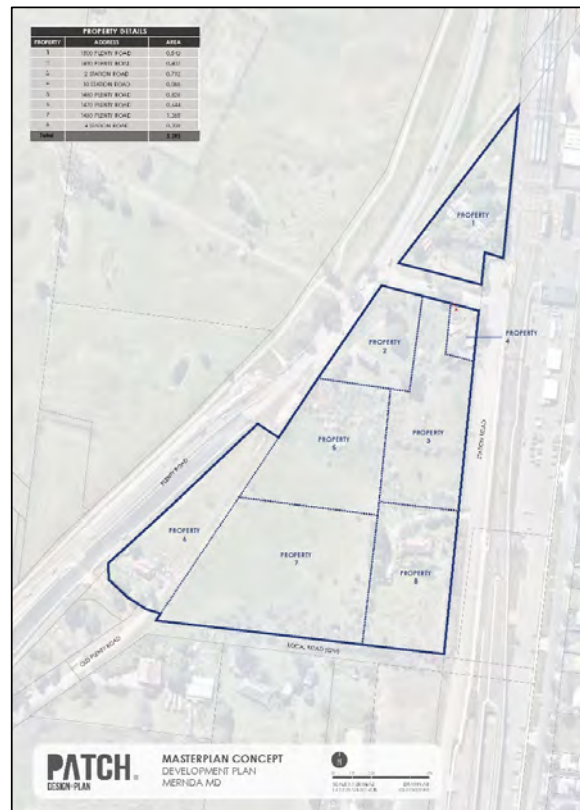


FIGURE 1 – PROPERTY PLAN
PREPARED BY PATCH DESIGN+PLAN

2 Introduction

The Station Road Development Plan (SRDP) has been prepared by WPA, on behalf of Mercator Developments Pty Ltd, to guide the future development of properties within the SRDP area (see Figure 1). These properties are envisaged for future medium density residential development within the *Mernda Strategy Plan (MSP)*, which designates the site for future urban growth subject to the preparation and approval of a Development Plan.

It is noted that this precinct is the last remaining Development Plan Overlay area within the Mernda Town Centre precinct that does not have an approved Development Plan. This is largely because increased residential densities designated in the MSP could not be truly realised until the town centre progressed (see Figure 2), as well as there not being any appetite from previous landowners to take responsibility for the process. Additionally, the recent extension of rail services to Mernda and the establishment of retail and commercial uses, assist in justifying the viability for higher densities.

The SRDP has been prepared taking into consideration the existing site features, as well as the requirements of the Development Plan Overlay - Schedule 5 (DPO5) and *Mernda Strategy Plan 2008* under the Whittlesea Planning Scheme. Any future planning permits issued for subdivision or development must be “generally in accordance” with the approved SRDP.

The preparation of the SRDP has been guided by a series of specialised reports including:

- Feature & Level Survey
- Urban Design
- Servicing & Drainage
- Biodiversity
- Arboricultural
- Contamination
- Acoustic
- Traffic
- Heritage



FIGURE 2- MERNDA TOWN CENTRE PLAN

3 Detailed Site Analysis

The suburb of Mernda has experienced significant residential growth in recent decades as a designated greenfield growth area in Melbourne's northern growth corridor. The majority of the residential area has been developed, with the SRDP area representing an infill development opportunity to the north of the emerging Mernda Town Centre and adjacent the Mernda Railway Station. The envisaged development outcomes within the SRDP will comprise of medium density housing contributing to the diversity of housing stock in Mernda.

A detailed Site Analysis has been undertaken for the SRDP area taking into consideration the following background information that assesses the existing site conditions and features:

- 3.1 Site Context
- 3.2 Precinct Features & Contours
- 3.3 Existing Biodiversity
- 3.4 Heritage
- 3.5 Contamination
- 3.6 Road Hierarchy
- 3.7 Existing Public Transport
- 3.8 Services Availability

A summary of the above considerations are provided on the following pages (see Figures 3-13).

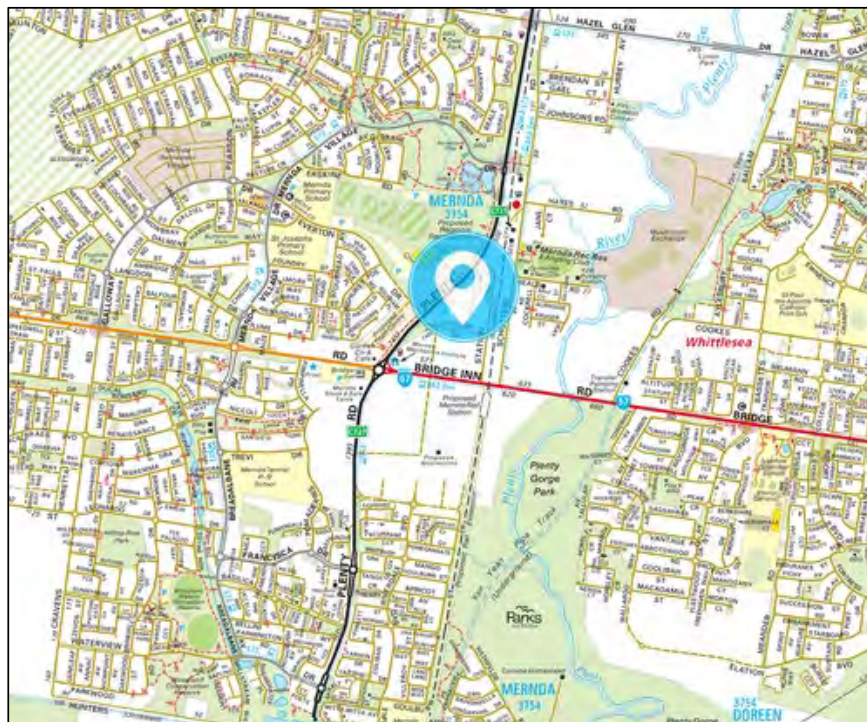


FIGURE 3 – MELWAYS MAP
SOURCE: MELWAYS ONLINE

3.1 Site Context

The SRDP area is located adjacent to the northeast corner of the emerging Mernda Town Centre and existing Mernda Railway Station. As such, the subject area is within walking distance (400m) to a variety of shops, services and public transport options. It sits central to the suburb of Mernda, now largely developed, comprising a range of land uses consisting primarily of conventional density residential areas.

The major arterial roads of Plenty Road and Bridge Inn Road are located nearby to the west and south of the site, respectively, with the railway line to the east. An aerial image of the site is provided below (see Figure 4).



FIGURE 4 – AERIAL IMAGE
SOURCE: NEARMAP

3.2 Precinct Features and Contours

The SRDP area is characterised by gently undulating terrain, with small rises in the southern and northeast extent. The majority of vegetation has previously been cleared, although there are some scattered trees and other vegetation throughout the site, particularly in the north. There are several existing dwellings, a dry stone wall and St. Joseph’s Catholic Church.

A Feature and Level Survey Plan was prepared by Lyssna to determine the existing contours, terrain, vegetation, built structures and property boundaries within the study area. A copy is provided as **Appendix 1** of this document, and an excerpt is shown at Figure 5 adjacent. Site photos are shown at Figures 6 and 7 below.



FIGURE 5- SURVEY PLAN
PREPARED BY LYSSNA



FIGURE 6- SITE PHOTO - OLD PLENTY ROAD FACING NORTH
SOURCE: WPA



FIGURE 7- SITE PHOTO - CORNER STATION ROAD
FACING SOUTHWEST
SOURCE: WPA

3.3 Existing Biodiversity

The SRDP area has predominantly been cleared of remnant vegetation, however there are some scattered trees, street trees and planted species throughout the site, as well as trees within the St Joseph's Church grounds afforded heritage protection.

Of the trees assessed, 22 were recommended for removal, 16 indigenous trees 'could be retained' and 3 Victorian natives were on an adjoining property.

A total of 24 River Red Gums were identified including Tree Nos. 1-6, 9-10, 19, 21, 24, 26, 28, 30-34, 43-44, 47-50.

For further details regarding trees onsite please refer to the submitted Arboricultural Report, prepared by Treemap Arboriculture, provided as **Appendix 2**.

A detailed Biodiversity Assessment identified the locations of existing patches of native vegetation and scattered trees within the site, including 1 large and 7 small River Red Gums (see Figures 8 & 9). A copy of the assessment, prepared by Ecolink Consulting, is provided as **Appendix 3**.

The assessment also notes that threatened species of flora and fauna were not found and are unlikely to occur within the subject site due to a lack of suitable habitat.

The property not assessed (Property 8) will require a Biodiversity Assessment of flora and fauna as part of future permit applications for subdivision or development. Property 1 was also not granted access for the arborist assessment and will require further assessment.

Any native vegetation that is approved for removal in subsequent permit applications will need to be appropriately offset to the satisfaction of the Responsible Authority in accordance with the Native Vegetation Provision (Clause 52.17) within the Whittlesea Planning Scheme.



FIGURE 8- BIODIVERSITY PLAN
PREPARED BY ECOLINK CONSULTING



FIGURE 9- SITE PHOTO - EXISTING TREE
SOURCE: WPA

3.4 Heritage

A Heritage Assessment, including a Dry Stone Wall Management Plan, was undertaken by Benchmark Heritage for a Dry Stone Wall, St Joseph's Church and Graff's House (which previously burnt down). These are located on Properties 2, 5 and 7. A copy of this Heritage Assessment is provided at **Appendix 4**.

Planning permission was granted by Whittlesea Council in accordance with Planning Permit No. 716367 to demolish Graff's House after it burnt down. A condition of its removal was for the provision of a heritage reserve providing interpretation of the site.

The St Joseph's Church, constructed in circa 1884, is located in the west of the site adjacent Plenty Road (see Figure 10). This building is heritage listed and must be retained within future development.

A Dry Stone Wall is located along the eastern boundary of 1480 Plenty Road. Construction of the wall is estimated in the late 1800s. The wall was assessed as in poor condition within the submitted Dry Stone Wall Management Plan.

The two dwellings on properties 6 and 8 have also been identified for potential heritage significance, subject to further detailed assessment at planning permit stage. An independent assessment by Council's heritage advisor determined that the dwelling located within Property 6 (1470 Plenty Road) would warrant heritage protection and that the heritage overlay would be applied. To combat this and allow for the Development Plan to progress, the masterplan has been updated and nominates an indicative curtilage area to be appropriately considered upon the submission of any subsequent permit applications for subdivision and/or use and development.

It is noted that no part of the site is currently within an identified area of Aboriginal Cultural Heritage Sensitivity (see Figure 11).



FIGURE 10 – ST JOSEPHS CHURCH
SOURCE: WPA



FIGURE 11 – ABORIGINAL CULTURAL HERITAGE SENSITIVITY
SOURCE: WPA

3.5 Contamination

A Contamination Assessment, provided as **Appendix 5**, was prepared by Connolly Environmental to ensure the land within the SRDP is suitable for sensitive uses. The assessment comprises a site history review, detailed site inspection and soil sampling. The assessment found that there was no evidence of contamination and no former land uses that would cause contamination of the land, and consequently no requirement for further investigation.

3.6 Road Hierarchy

The SRDP area is adjacent two arterial roads; Plenty Road and Bridge Inn Road, to the west and south, respectively. Station Road abuts the sites eastern boundary (at the railway interface) before intersecting the northern portion of the site in an east-west direction. Old Plenty Road is also located to the southwest of the site, providing access to several private properties. Station Lane, currently a gravel road, extends east from Plenty Road to Old Plenty Road, with an unconstructed road reserve thereon.

3.7 Existing Public Transport

The SRDP area is located adjacent to the Mernda Railway Station which forms part of the Mernda railway line providing commuter rail passenger train services to Melbourne's CBD (see Figures 12 & 13). There are also several bus routes that have a stop outside Mernda Railway Station, including route service nos. 381, 382, 384, 385, 388, 389 and 390. These bus services provide connection across Melbourne's northern suburbs.

3.8 Railway Interface

A Train Noise Assessment, provided as **Appendix 6**, was prepared by Marshall Day Acoustics to assess rail noise and outline attenuation measures to achieve appropriate amenity outcomes for future residents. The assessment found that the majority of noise disturbance occurs to the north-east of the site associated with the rail stabling facility. Therefore, the assessment recommends a noise barrier to this interface, as well as additional built form treatment to dwellings along the entire eastern boundary.



FIGURE 12- MERNDA STATION



FIGURE 13- MERNDA STATION PLATFORM

3.9 Services Availability

Arcadis have been engaged to provide professional engineering advice regarding the civil servicing and drainage requirements for the precinct. Arcadis have undertaken a detailed site analysis and desktop assessment to understand the site context and servicing requirements. The availability of services are summarised as follows:

- **Sewer:** Yarra Valley Water is the responsible authority for sewer. There are potential sewer outfall locations to the north, south-east and south-west. However, the south-east and south-west options are likely to be unsuitable, due to constraints associated with the railway line and shallow pipe depth, respectively. The northern option could be suitable, however it could be difficult to grade all outfall to this one location due to topography. Alternatively, a sewer pump station would be required.
- **Water:** Yarra Valley Water is the responsible authority for water reticulation. There are a number of existing potable water assets within and adjacent to the subject site. Class A recycled water is not mandated in the area.
- **Gas:** APA is the responsible authority for gas. There are a number of existing assets within proximity of the subject site including a DN63 main in Schotters Road beyond the railway and also a DN200 on the western side of Plenty Road adjacent to the subject site. There is also a proposed DN180 in Bridge Inn Road.
- **Power:** AusNet Services is the responsible authority for electricity. There are existing 22kV high voltage overhead lines along Plenty Road and Bridge Inn Road. In Station Street, there is a low voltage overhead line supplied from the northern end of Station Street.
- **NBN:** NBNCo is the responsible authority for telecommunications. The closest existing NBN assets are available in Bridge Inn Road to the south or alternatively Schotters Road, however the connection is highly constrained as it's east of Mernda Station. There are Telstra pits to the northern end of Station Street and also overhead comms lines in Old Plenty Road separate to the electrical power line.
- **Drainage:** There is existing council owned stormwater infrastructure within proximity to the site in Bridge Inn Road, Schotters Road and Plenty Road (at the Bridge Inn Road Intersection). From site observations it is noted that there are existing drainage pits adjacent to the railway which collects and outfalls the surface run-off from the eastern grading portion of the site. The western grading portion of the site is predominately limited to 1470 Plenty Road and outfalls overland to be collected in table drains in Plenty Road.

For further details please refer to the Drainage and Engineering Servicing Strategy and Stormwater Management Strategy provided as **Appendix 7** and **Appendix 8**, respectively.

4 Strategic Planning Context

The Whittlesea Planning Scheme incorporates a series of planning policies to guide decision making for development outcomes within the municipality. This section outlines the policy framework in relation to the proposal.

4.1 Municipal Planning Strategy

Clause 71.01 of the Whittlesea Planning Scheme ('the Scheme') states that the "*Municipal Planning Strategy (MPS) provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme*".

The following clauses are considered the most relevant in the assessment of this Development Plan:

Clause 02.02 - Vision

This Clause states that the *Shaping Our Future: Whittlesea 2030 Strategic Community Plan* provides the community's vision for the City of Whittlesea. The key strategic, land use and development directions of the community plan are:

- Inclusive and engaged community
- Accessibility in, out and around the City
- Growing economy
- Places and spaces to connect people
- Healthy and wellbeing
- Living sustainably

Clause 02.03-1 - Settlement

Urban Growth

Council aims to manage urban growth by:

- Planning development in locations where required infrastructure can be provided effectively and in a timely manner.
- Providing opportunities for mixed use, employment generating centres that are aligned with public transport and roads.
- Minimising adverse amenity impacts from industry and future rail infrastructure on residential areas.
- Protecting environmental assets.

Clause 02.03-2 - Environmental and Landscape Values

Biodiversity and Native Vegetation:

Council aims to:

- Protect areas of biodiversity and native vegetation including conservation areas protected for urban growth areas.
- Increase connectivity between key habitat areas whether regional or local.
- Avoid incremental incursions into environmentally sensitive areas beyond the boundaries of land reserved for future urban development.
- Prioritise vegetation offsets in areas of Red Gum Woodlands beyond the urban fringe.

River Red Gums:

Council aims to:

- Protect River Red Gum trees due to their intrinsic value in establishing a character and identity especially for newly-developing areas but also in existing rural areas.

Clause 02.03-5 - Built Environment and Heritage

Urban and Building Design

Council aims to:

- Upgrade the image and appearance of Whittlesea including its; Activity centres, major gateways and transport corridors, industrial areas, employment centres.
- Facilitate the integration of local features or focal points including River Red Gums into the design of new communities.
- Retain local environmental features and landscape qualities.
- Encourage the provision of attractive and walkable neighbourhoods that use spaces to encourage recreation and social interaction.

Heritage

Council aims to:

- Protecting and maintaining the integrity and historic character of Whittlesea's heritage places.
- Using the interpretation of heritage places to promote heritage in the municipality.

Clause 02.03-8 - Transport

Council aims to support an integrated transport system by:

- Setting aside land in the early stages of development to provide for long term roads and public transport to be established.
- Providing a high level of connectivity within and between subdivisions to enhance the effectiveness of transportation networks.
- Servicing the higher order activity centres of Epping, Plenty Valley, University Hill, and in the future Mernda, Wollert and Donnybrook by high capacity rail and by good access to the arterial road network.
- Locating smaller neighbourhood centres so they are served by local public transport.
- Facilitating sustainable modes of transport.

4.2 Planning Policy Framework

Clause 71.02 of the Scheme states that the purpose of the PPF is to “ensure that the objectives of planning in Victoria (as set out in section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.”

The following clauses are considered the most relevant in the assessment of this Development Plan.

Clause 11 - Settlement

This provision has been set up to essentially anticipate and respond to the needs of existing and future communities through the provisions of appropriately zoned serviced land for future housing, employment,

recreation and open space, commercial and community facilities and infrastructure. The objectives of the following sub-clauses should be taken into consideration:

Clause 11.01-1S - Settlement: To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Clause 11.02-1S - Supply of Urban Land: To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 11.03-1S - Activity Centres: To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Clause 12 – Biodiversity

This provision establishes guidance for the protection of natural values. The objectives of the following sub-clauses should be taken into consideration:

Clause 12.01-1S – Protection of Biodiversity: To protect and enhance Victoria’s biodiversity.

Clause 12.01-1L – River Red Gum Protection: To retain and provide for the long-term viability of River Red Gums.

Clause 12.01-2S – Native Vegetation Management: To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Clause 15 - Built Environment and Heritage

This provision strives to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. The objectives of the following sub-clauses should be taken into consideration:

Clause 15.01-1S - Urban Design: To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Clause 15.01-1L - Urban Design in the City of Whittlesea:

- Support built form outcomes that create a connection to place and the community.
- Design development to orient toward rather than away from the street.

Clause 15.01-1R - Urban Design - Metropolitan Melbourne: To create a distinctive and liveable city with quality design and amenity.

Clause 15.01-2S - Building Design: To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-2L - Environmentally Sustainable Development: To achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Clause 15.01-3S - Subdivision Design: To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.01-3L - Subdivision Design: To design subdivisions to be site responsive.

Clause 15.01-4R - Healthy Neighbourhoods - Metropolitan Melbourne: To create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Clause 15.01-5S - Neighbourhood Character: To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Clause 15.03-1S – Heritage Conservation: To ensure the conservation of places of heritage significance.

Clause 15.03-1L – Heritage Conservation in Heritage Conservation Areas

General Strategies (as deemed relevant):

- Secure and protect places with identified heritage value in the early stages of subdivision and development processes.
- Protect views of, and vistas to, silhouettes and profiles of a heritage place including mature vegetation and landmarks where these views or vistas have been identified as contributing to the significance of the heritage place.
- Design subdivision plans to maintain a heritage place and any associated contributory elements associated with a heritage place on a single lot and, where possible, utilise original boundaries.

Clause 15.03-1L - Dry Stone Walls: To support the conservation and repair of dry stone walls and their sympathetic integration within developments.

Clause 15.03-2S - Aboriginal Cultural Heritage: To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Clause 16 - Housing

This provision seeks to ensure there is adequate housing supply to meet different needs and the long-term sustainability of housing in appropriately accessible locations. The objectives of the following sub-clauses should be taken into consideration:

Clause 16.01-1S – Housing Supply: To facilitate well-located, integrated and diverse housing that meets community needs.

Clause 16.01-2S – Housing Affordability: To deliver more affordable housing closer to jobs, transport and services.

Clause 18 - Transport

This provision strives to ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe. The objectives of the following sub-clauses should be taken into consideration:

Clause 18.01-1S - Land Use and Transport Integration: To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

Clause 18.01-2S - Transport System: To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

Clause 18.01-3S – Sustainable and Safe Transport: To facilitate and environmentally sustainable transport system that is safe and supports health and wellbeing.

Clause 18.02-1S - Walking: To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

Clause 18.02-2S - Cycling: To facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling.

Clause 18.02-3S – Public Transport: To facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

Clause 18.01-4S – Roads: To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

4.3 Mernda Strategy Plan

The Development Plan area is located within Precinct 3 of the overarching *Mernda Strategy Plan 2008* (the 'Strategy Plan') prepared by City of Whittlesea (Figure 14). This document provides overarching strategic guidance on the future urban structure of Mernda. The Strategy Plan designates the SRDP area for medium density residential development, given its close proximity to the town centre.

It also states the following:

"Heritage places such as Graffs Farmhouse and St Josephs Church to be protected within medium density housing area."

A further assessment of the SRDP against the plans and objectives of the MSP is provided at Section 6.3 of this report.

4.4 Mernda Town Centre Comprehensive Development Plan

The Mernda Town Centre Comprehensive Development Plan (MTCCDP) applies to the Mernda Town Centre (the 'town centre') which is designated as a future major activity centre. The MTCCDP provides the overarching framework to guide development of the town centre, consistent with the objectives of the Mernda Strategy Plan, across five sets of urban design principles.

The subject area is located on the periphery of the town centre, providing convenient access to shops, services and transport. This supports the provision of increased residential densities and the opportunity to provide diverse forms of housing to meet different needs within the community.

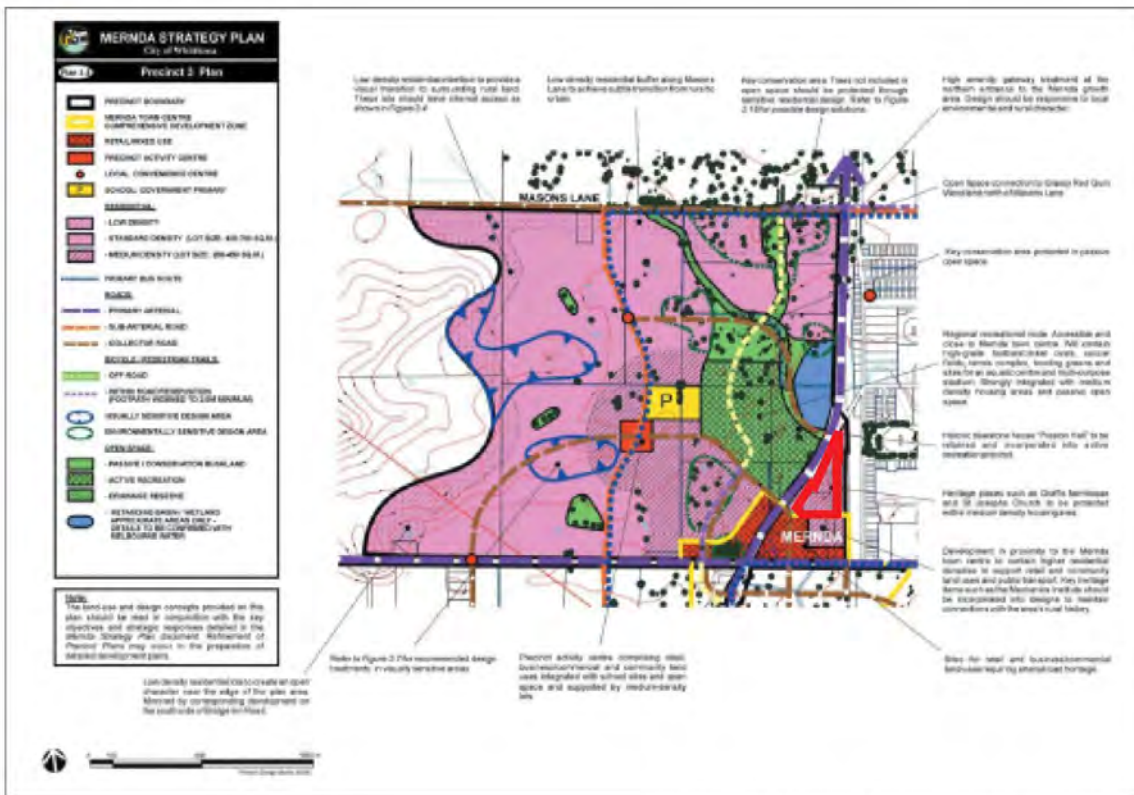


FIGURE 14- MERENDA STRATEGY PLAN - PRECINCT 3
SOURCE: WHITTLESEA CITY COUNCIL

5 Planning Controls Summary

5.1 Zoning

The Development Plan area is currently zoned as General Residential Zone - Schedule 1 under the Whittlesea Planning Scheme (see Figure 15).

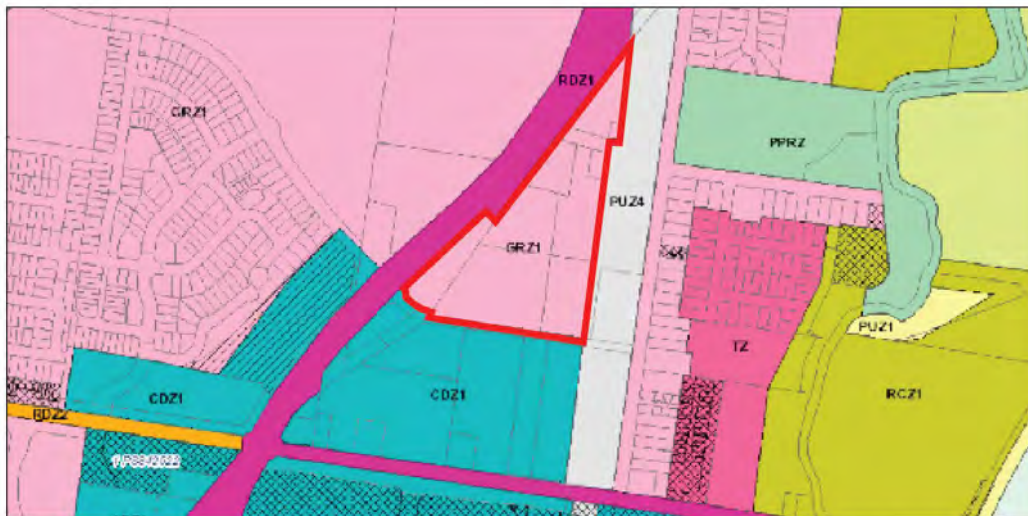


FIGURE 15- ZONING PLAN
SOURCE: VICPLAN

5.2 Overlays

The Development Plan area is also covered by the following Overlays (shown at Figures 16-20):

- Development Plan Overlay - Schedule 5
- Vegetation Protection Overlay - Schedule 1
- Incorporated Plan Overlay - Schedule 1
- Heritage Overlay - Schedule 21 and Schedule 69
- Development Contributions Plan Overlay - Schedule 9
- Public Acquisition Overlay -

A brief overview of these overlays is provided on the following pages.

Development Plan Overlay - Schedule 5

The applicable Development Plan Overlay (DPO) requires the approval of a Development Plan prior to a permit being granted for subdivision, use or development (Figure 16). This Development Plan has been prepared pursuant to the requirements of this Overlay, which is discussed further in the following section of this report.

Incorporated Plan Overlay - Schedule 1

The Incorporated Plan Overlay (IPO) implements the Mernda Strategy Plan within the Whittlesea Planning Scheme as the overarching strategic document applicable to the site and surrounding area (Figure 17). Any approved Development Plan or planning permit must be generally in accordance with the provisions of the Mernda Strategy Plan.

Heritage Overlay - Schedules 21 and 69

The purpose of the Heritage Overlay (HO) includes to conserve places of cultural significance and ensure that development does not adversely impact them (Figure 18). The HO21 applies to the St Joseph's Church which will be retained within future development. HO69 refers to Graff's House which burnt down in 2015 and was approved for removal. A permit is required to subdivide land, remove a building, construct a building or carryout works within the HO. As outlined, a subsequent Heritage Overlay schedule will be applied to Property 6.



FIGURE 16- DEVELOPMENT PLAN OVERLAY
SOURCE: VICPLAN



FIGURE 17- INCORPORATED PLAN OVERLAY
SOURCE: VICPLAN



FIGURE 18- HERITAGE OVERLAY
SOURCE: VICPLAN

Vegetation Protection Overlay - Schedule 1

The purpose of the Vegetation Protection Overlay (VPO) includes to protect areas of significant vegetation (Figure 19). The applicable Schedule 1 to the VPO (VPO1) identifies native vegetation within Mernda, particularly Red Gum Grassy Woodlands, as important for protection. A planning permit is required for the removal, destruction or lopping of any native vegetation. An arboricultural assessment of existing River Red Gums is also listed as an application requirement.

Development Contributions Plan Overlay - Schedule 9

This overlay implements the *Mernda Strategy Plan Development Contributions Plan (DCP)*, which stipulates the developer contributions required for the provision of shared infrastructure and services (see Figure 20). It is anticipated that the requisite contribution for individual properties will be included as a condition of future planning permits.

Public Acquisition Overlay 15

This overlay identifies land proposed to be acquired to facilitate road widening and a major four-leg intersection at Plenty Road, Station Lane and Everton Drive.



FIGURE 19- VEGETATION PROTECTION OVERLAY
SOURCE: VICPLAN



FIGURE 20- DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY
SOURCE: VICPLAN



FIGURE 21- PUBLIC ACQUISITION OVERLAY
Source: VICPLAN

5.3 Heritage Provisions Response

The following assessment is provided against the provisions of the Heritage Overlay, as it applies to the St Joseph's Church and Graff's House, as well as Historic Dry Stone Walls, including local provisions at Clause 15.03-1L and the Heritage Overlay.

The Application Requirements to accompany a planning application are listed at Clause 1.0 of the Schedule to the Heritage Overlay (Clause 43.01).

5.3.1 St Joseph's Church

The St Joseph's Church (hereafter 'the Church') is protected under the Heritage Overlay (H021).

The relevant application requirements for the Church include:

- *A report explaining the proposal and how it addresses any heritage policy in this scheme.*

This report provides details of the proposal including retention of the Church within the future development area. The layout has considered retention of the Church within a future lot. It has also been provided with internal, local road access from the east (rather than Plenty Road) which also ensures sight lines of the Church are maintained. Furthermore, appropriate separation has been provided to the future residential area.

- *A Heritage Impact Statement prepared by a suitably qualified heritage consultant, that assesses the impact of the proposal on the heritage place outlining: The cultural heritage significance of the place and a description of the contributory elements of the heritage place and how these have been considered in the preparation of the application.*
 - *Existing conditions and the current use of the place.*
 - *The works proposed and what physical and/or visual impacts will result from the proposed works.*
 - *Reasons outlining why any detrimental impacts on the significance cannot be avoided.*
 - *Alternative proposals and measures being employed to avoid, limit or manage any unavoidable detrimental impacts.*

Please refer to the submitted Heritage Assessment prepared by Benchmark Heritage. The assessment appropriately identifies that the heritage values of the Church will not be impacted within the context of future development.

5.3.2 Dry Stone Walls

The Dry Stone Wall is protected under local provisions, with application requirements outlined under the Heritage Overlay, as follows:

- *For applications where dry stone walls may be affected:*
 - *A feature survey of the dry stone walls within the proposed development.*

Please refer to the Survey Plan which identifies the location of dry stone walls. It is noted that distinction should be made between historic dry stone walls and other rocks or boulders, such as landscaping rocks between Plenty Road and St Josephs Church.

- *A dry stone wall management plan which includes the following:*
 - *Photographs (or suitable records) of the dry stone walls.*

- *Recommendations for repair and/or reconstruction.*
- *Conservation works that will retain the cultural significance of the dry stone walls.*
- *A plan showing the proposed location of any landscaping, footpaths, and structures that may impact on the dry stone walls.*

Please refer to the submitted Dry Stone Wall Management Plan, forming part of the submitted Heritage Assessment, prepared by Benchmark Heritage (see Appendix 4). The report provides a comprehensive survey and assessment of the dry stone wall.

In summary, the wall was assessed as ‘Poor’ condition, meaning that most of the wall has collapsed. There were no intact sections of the wall recorded. The construction technique of the wall indicates it was constructed after 1870, due to the use of supporting wire. It is considered probable that the wall was constructed by stacking loose rocks under the fence rather than a professional dry stone wall method. The report found that the wall has local value only, and removal would have minimal impact on the overall heritage value of the subject land.

Given the poor condition and low heritage value identified in the assessment, it is proposed to remove the dry stone walls, with the exception of the dry stone wall within the St Josephs Church site. It is proposed to reuse removed stone in accordance with Whittlesea policy within landscaping or interpretative features within the proposed Graff’s House reserve.

5.3.3 1470 Plenty Road, Mernda

An independent assessment by Council’s Heritage Advisor determined that the existing dwelling located in the south-west corner of 1470 Plenty Road has heritage significance and will need to be protected. The Development Plan has been appropriately modified to apply the proposed curtilage around the dwelling and immediate surrounds. Any future permit application for use and development will incorporate the dwelling and ensure its protection.

5.4 Development Plan Overlay -Schedule 5 Response

This section addresses each of the specific requirements of the Development Plan as set out in Clause 43.04 of the Whittlesea Planning Scheme, as well as the specific requirements set out within the applicable Schedule 5 to the Development Plan Overlay (DPO5).

5.4.1 General DPO Requirements

The Development Plan responds to the requirements set out in the DPO as follows:

Table 1. DPO Requirements Response

| Clause 43.04-3 Requirement | Assessment / Response |
|---|---|
| The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages. | The Development Plan Package consists of the plan entitled Masterplan Concept Development Plan, provided as Appendix 9 to this report. |
| A development plan that provides for residential subdivision in several specified zones, including GRZ, must meet the requirements of Clause 56 as specified in the zone. | The Development Plan indicates a conceptual subdivision layout and local internal road network. It is anticipated that this will allow for future subdivision in accordance with Clause 56. |
| The development plan must describe: <ul style="list-style-type: none"> • The land to which the plan applies. | <ul style="list-style-type: none"> • The Development Plan applies to the land within the Development Plan boundary as depicted in previous |

| | |
|---|--|
| <ul style="list-style-type: none"> • The proposed use and development of each part of the land. • Any other requirements specified for the plan in a schedule to this overlay | <p>sections of this report. It comprises the remaining land without a Development Plan confined by Plenty Road, the railway line and Station Lane.</p> <ul style="list-style-type: none"> • The proposed use and development of each part of the land is detailed on the plan. • Refer to section 5.3.2 for a response to the specific DP schedule requirements. |
|---|--|

5.4.2 DPO5 Specific Requirements

Table 2 sets out the specific requirements for a development plan listed at Clause 4.0 of the DPO5 and explains how the proposed SRDP meets those requirements.

Table 2. DPO5 Requirements Response

| DPO5 Requirements | Assessment/Response |
|---|--|
| <p>1. Generally in accordance with the Mernda Strategy Plan and associated Precinct Plans. A written report must be submitted addressing how the Development Plan responds to and applies the design principles and key objectives of the relevant plans.</p> | <p>The Development Plan is consistent with the plans and objectives of the Mernda Strategy Plan (MSP). The SRDP Area is designated for residential purposes under the MSP and has been prepared taking into consideration the goals of the MSP such as supporting higher densities and retention of the St Joseph’s Church.</p> |
| <p>2. Protection and enhancement of identified conservation areas. An environmental assessment of the flora, fauna and habitat significance of the land must be submitted which includes recommended actions for management, revegetation and restoration of conservation and vegetation protection areas and the links between such areas. The assessment should be guided by the broader environmental assessment recommendations completed as part of the Mernda Strategy Plan.</p> | <p>Please refer to the submitted Biodiversity Assessment which provides an assessment of the existing flora and fauna onsite. It identifies that there are minimal environmental values present that warrant protection. Additionally, the MSP does not identify any areas environmental significance or future open space or conservation areas within the subject area.</p> |
| <p>3. Retention and integration of individual and stands of mature trees, particularly indigenous River Red Gums. An arboricultural survey of all existing trees on the land and their condition, health and integrity must be submitted including appropriate measures for the long term preservation of the tree(s) having regard to their proposed open space or development context. A tree protection strategy must also be submitted to ensure that trees (including canopy and root system) are not damaged during subdivision construction.</p> | <p>The submitted Biodiversity Assessment and Arborist Report appropriately assesses existing vegetation onsite, including River Red Gums. The majority of trees were identified as having low retention value and therefore were recommended for removal. However, proposed retention and removal of River Red Gums will be addressed at planning permit stage. Furthermore, Tree Protection Strategies can be prepared as part of individual planning permit applications, as required, to the satisfaction of the Responsible Authority. This has been noted as a requirement on the plan and at Section 7.4 of this report.</p> |
| <p>4. A ‘Net Gain’ assessment of any native vegetation to be removed having regard to the background document Victoria’s Native Vegetation Management – A Framework for Action including the location of any necessary offsets.</p> | <p>The submitted Biodiversity Assessment includes an indicative assessment of the offset requirements for potential vegetation removal, to be formally addressed at planning permit stage to the satisfaction of the responsible authority.</p> |
| <p>5. Recognition of important landscape views and vistas. A visual impact assessment must be submitted for those areas identified as ‘visually sensitive’ in the Precinct Plans forming part of the Mernda Strategy Plan.</p> | <p><i>Not Applicable</i> - The SRDP area is not identified as ‘visually sensitive.’ Nor does it interface with any important landscape views. Therefore, this requirement is not deemed a relevant consideration.</p> |

| | |
|---|--|
| <p>6. Provision of appropriate transition and interface design treatments between designated land uses identified in the Mernda Strategy Plan. Design concept plans for the interface between residential areas and the following land uses must be submitted:</p> <ul style="list-style-type: none"> • Adjacent or opposite land zoned Rural and Environmental Rural. • High voltage power transmission line easements. • Mernda town centre and other precinct activity centres. • The existing rail reserve and Melbourne Water 'pipe track' reservation. • Identified cultural heritage places. • Low density residential areas. • Primary and Secondary arterial roads. • Major open space reserves. | <p>The SRDP has appropriately responded to surrounding land uses and interfaces including the railway line to the east and Plenty Road secondary arterial to the west. The street network has been designed with the use of laneways and paper roads (subject to VicTrack approval) to ensure that dwellings will appropriately front and activate the abovementioned areas.</p> |
| <p>7. Provision of appropriate transition and interface design treatments between designated land uses and the existing or proposed Plenty Gorge Parklands which incorporates a boulevard road adjacent to the parklands and the design of lots such that no common boundary abuts the parklands.</p> | <p><i>Not Applicable</i> - The SRDP area does not interface with the Plenty Gorge Parklands. Therefore, this requirement is not deemed a relevant consideration.</p> |
| <p>8. A landscape strategy for the area adjacent to the existing or proposed Plenty Gorge Parklands including plans...</p> | <p><i>Not Applicable</i> - The SRDP area does not interface with the Plenty Gorge Parklands. Therefore, this requirement is not deemed a relevant consideration.</p> |
| <p>9. Conservation and protection of Aboriginal and European cultural heritage places. A detailed archaeological survey and heritage assessment must be submitted which includes recommendations for the protection, restoration and interpretation of significant individual sites and, where appropriate, design measures to sensitively integrate sites into the proposed town centre or open space network...</p> | <p>The St Joseph's Church is a heritage listed building that will be retained within a separate land parcel.</p> <p>Interpretation of Graff's House will be provided within an open space reserve in accordance with the relevant planning permit. This will also incorporate a feature constructed from stone reused from the Dry Stone Walls proposed for removal.</p> <p>The existing dwellings within Property 6 will be subject to a further detailed assessment and heritage controls to determine the exact curtilage. An indicative area has been designated on the SRDP for protection in the interim.</p> <p>The site is not within an area of identified Aboriginal Cultural Heritage Sensitivity and, therefore, it is considered that no further investigations are required.</p> |
| <p>10. Application of the principles of water sensitive urban design (WSUD). A stormwater management plan must be prepared and submitted which provides for the protection of natural systems, integration of stormwater treatment into the landscape, protection of water quality (particularly in relation to the Plenty River and its tributaries), and reduction of run-off and peak flows. The plan must have regard to the particular WSUD principles set out in the Mernda Strategy Plan.</p> | <p>Please refer to the submitted Stormwater Management Strategy which outlines stormwater management for the site in accordance with the applicable Melbourne Water drainage scheme. In accordance with this scheme, it is anticipated that stormwater will be conveyed and treated at a catchment level within downstream assets external to the SRDP area, as well bioretention basins within the site.</p> |

| | |
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| <p>11. Opportunities for a diverse range of allotment densities and dwelling types. A statement of housing outcomes, population and lot yield targets must be submitted.</p> | <p>The urban layout has been designed to deliver a range of lot densities and dwellings including both conventional and medium density allotments. Please refer to the submitted Development Plan Package for details regarding the urban layout, and Section 7.2.1 of this report for further information regarding anticipated development outcomes.</p> |
| <p>12. Provision of a road network providing a high degree of connectivity and external and internal permeability. A functional road layout plan must be submitted showing typical road cross sections and integration with the existing and proposed arterial road network. The plan should further provide for any public bus network which may be required within the Development Plan area; the provision of land for road widening where identified in the Mernda Strategy Plan; and a bicycle and pedestrian network plan (which includes links to adjoining land and networks).</p> | <p>The road network has been designed to provide a high degree of connectivity. Roads will consist of local roads, a connector street and several laneways, providing rear-loaded access to a number of lots. The connector street will be constructed within the Station Lane road reserve to the south, with the provision of land for road widening. The site will have access to the external network including Plenty Road and Bridge Inn Road. Please refer to the Road Network Plan, forming part of the Development Plan Package, and shown at Section 7.2.4 of this report.</p> |
| <p>13. A landscape concept plan for all open space areas.</p> | <p><i>Not applicable</i> - The site does not contain any open space areas. Therefore, this requirement is not deemed a relevant consideration.</p> |
| <p>14. A street tree concept plan.</p> | <p>It is submitted that this can appropriately be addressed as part of future planning permit applications to the satisfaction of the Responsible Authority. It is noted that the inclusion of rear-loaded lots will allow increased street tree planting opportunities within the primary frontage due to reduced vehicle crossovers.</p> |
| <p>15. Precinct activity centre design concept plans.</p> | <p><i>Not applicable</i> - The SRDP area does not contain any activity centres. Therefore, this requirement is not deemed a relevant consideration.</p> |
| <p>16. A conduit network concept plan to facilitate the future installation of advanced telecommunications services through optical fibre cabling.</p> | <p>The submitted Drainage and Servicing Infrastructure Strategy identifies that NBN is available nearby to be provided to the site.</p> |
| <p>17. A development contributions plan and open space land budget.</p> | <p>It is anticipated that development contributions will be included as a condition of future planning permits in accordance with the applicable Mernda Strategy Plan DCP.</p> |
| <p>18. An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.</p> | <p>Please refer to the submitted Contamination Assessment which appropriately identifies that the site does not contain any contamination and, therefore, is suitable for residential uses.</p> |
| <p>19. The location of any detention tanks, drainage retarding basins or other utility infrastructure required to service the neighbourhood.</p> | <p>Please refer to the submitted Stormwater Management Strategy which outlines the anticipated requirements for the provision of drainage connections and infrastructure, including the indicative location of bioretention basins.</p> |
| <p>20. The stages, if any, by which the development of the land is proposed to proceed.</p> | <p>Please refer to the Staging Plan, forming part of the Plan Package, which demonstrates that staging will largely progress from the southern portion of the site towards the north to tie in with existing road and servicing infrastructure.</p> |

6 Vision & Design Response

With consideration of the detailed Site Analysis undertaken for the overall study area, the applicable requirements of the Whittlesea Planning Scheme and the overarching Mernda Strategy Plan, the following Vision and Design Response were formulated to help guide preparation of the Development Plan layout and assist Council's assessment of future planning permit applications.

6.1 Development Plan Vision

The Development Plan will facilitate development of a residential growth precinct that contributes to housing diversity and supports activity within the emerging Mernda Town Centre. And to provide a high quality, highly accessible and highly liveable neighbourhood that takes advantage of the sites proximity to key transport, shops and services.

6.2 Design Response

The following list identifies site responsive design considerations used to guide the urban design layout:

1. The urban layout should be designed to minimise irregular shaped lots influenced by the triangular shaped site;
2. Built form should respond to sensitive interfaces associated with major transport routes to the west and east;
3. Support opportunities for the retention of scattered River Red Gums, particularly a large tree in the north of the precinct;
4. The topography is gently undulating;
5. Pedestrian and cycling connections should be facilitated to encourage active transport to the Mernda Town Centre and Railway Station;
6. Appropriate connections should be provided to the external road network, including Plenty Road, Station Road and Station Lane.

Please refer to the Site Analysis Plan, forming part of the submitted Development Plan Package, and shown at Figure 21 on the following page.



FIGURE 22 – SITE ANALYSIS PLAN
PREPARED BY PATCH DESIGN+PLAN

6.3 Mernda Strategy Plan Response

This section outlines how the SRDP has been designed giving consideration to the plans and key objectives of the Mernda Strategy Plan. The subject site's location within each relevant MSP Plan, as well as an MSP Comparison Plan (prepared by Patch Design + Plan), are shown at Figures 22-28 on the following pages.

Plenty Road and Bridge Inn Road are designated as secondary arterial roads to the west and south, as well as a bus route (see Figure 22). A collector road is also designated through the adjoining site to the southwest. The railway reservation is also shown to the southeast, which has since been constructed.

A shared path is designated within the Plenty Road and Bridge Inn road reserves, as well as a regional shared path within the railway reservation adjacent to the east of the site (see Figure 23).

There are no areas of environmental significance, public open space or activity centres designated within the SRDP area (see Figures 24-26). However, the Mernda Town Centre is designated immediately to the southwest.

The majority of the site is also within an area of low archaeological sensitivity, except for a small portion of the southwest corner which is 'high for scarred trees (red gum)' (Figure 27).



FIGURE 23 – ROADS & PUBLIC TRANSPORT PLAN
SOURCE: MERNDA STRATEGY PLAN

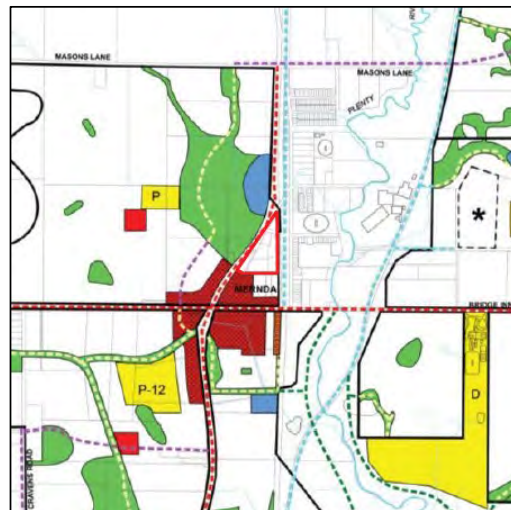


FIGURE 24 – BICYCLE/PEDESTRIAN NETWORK PLAN
SOURCE: MERNDA STRATEGY PLAN

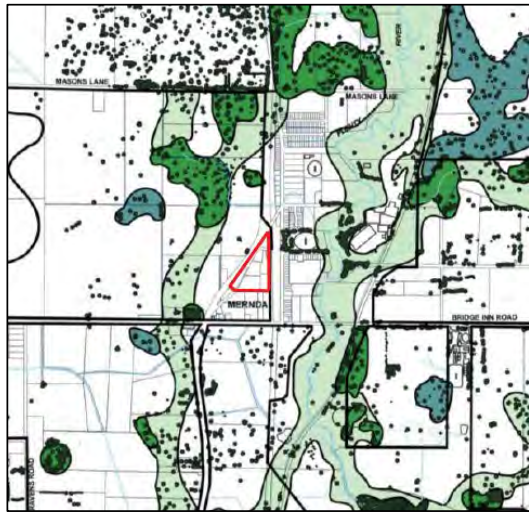


FIGURE 25 – AREAS OF ENVIRONMENTAL SIGNIFICANCE PLAN
SOURCE: MERNDA STRATEGY PLAN



FIGURE 26 – OPEN SPACE NETWORK PLAN
SOURCE: MERNDA STRATEGY PLAN

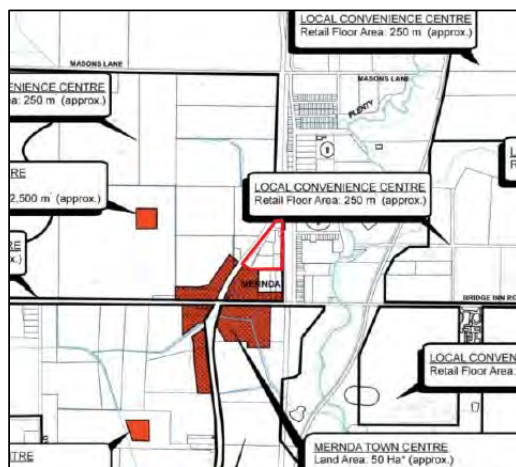


FIGURE 27 – ACTIVITY CENTRES PLAN
SOURCE: MERNDA STRATEGY PLAN



FIGURE 28 – ARCHAEOLOGICAL SENSITIVITY PLAN
SOURCE: MERNDA STRATEGY PLAN

Table 3. Response to Mernda Strategy Plan Key Objectives

| MSP Key Objective | Response |
|--|--|
| <p>1. To put in place an efficient, equitable and environmentally sustainable transportation system that reduces car dependence, encourages walking and cycling for local trips, and supports local economic activity.</p> | <p>The SRDP will support conventional and medium density residential housing within walking distance to the Mernda Railway Station and Town Centre, reducing the reliance on the private motor vehicle. Footpaths on local streets will link to the broader pedestrian and cycling network, allowing residents to access their daily needs by active modes of transport.</p> |
| <p>2. To protect and enhance environmental values by applying the principles of ecologically sustainable design to the designation of open space and the construction of urban areas.</p> | <p>The SRDP area does not contain any designated areas of public open space. However, it is anticipated that consistent street tree planting will be provided throughout.</p> |

| | |
|--|--|
| <p>3. To establish a series of diverse and pedestrian-friendly precinct activity centres that complement a mixed-use Mernda Town Centre of sub-regional status.</p> | <p>The SRDP area does not contain an activity centre, however residents will have pedestrian access to the adjacent Mernda Town Centre which will help support commercial activity.</p> |
| <p>4. To facilitate the timely provision of a range of community and recreation facilities to meet the needs of local residents and promote community health and cohesion.</p> | <p>The SRDP area does not contain any designated community or recreation facilities. Therefore, this is not deemed a relevant consideration.</p> |
| <p>5. To establish an integrated open space network that maintains ecological integrity and landscape character as well as offering a wide range of passive and active recreation opportunities for all user-groups.</p> | <p>The SRDP area does not contain any designated areas of public open space. However, residents will have direct access to a regional cycling path along the railway line, as well as active recreation and conservation reserves on the adjacent side of Plenty Road.</p> |
| <p>6. To protect Aboriginal and European heritage sites and to increase community understanding and awareness of this heritage through site-responsive urban design.</p> | <p>St Joseph's Church will be retained within its own individual parcel whilst Graffs House will be interpreted within a public reserve.</p> <p>Potential heritage dwellings will be subject to further comprehensive assessment at the planning permit stage.</p> <p>The SRDP area is not currently within an area of Aboriginal Cultural Heritage Sensitivity.</p> |
| <p>7. To effectively and efficiently implement the servicing and drainage strategies that have been prepared by Yarra Valley Water and Melbourne Water respectively.</p> | <p>The submitted engineering strategies outline drainage and servicing for the site in accordance with Yarra Valley Water and Melbourne Water strategies, respectively.</p> |



FIGURE 29 – MSP COMPARISON PLAN
PREPARED BY PATCH DESIGN+PLAN

7 The Development Plan

This section provides further details regarding key elements of the urban structure and should be read in conjunction with the Development Plan Package provided at **Appendix 9**.

A series of specialist consultants were engaged to provide expert advice and input to the design of the SRDP. These reports also assess the SRDP against the applicable guidelines and standards to ensure appropriate compliance is achieved. This information will help to set clear development and engineering expectations to assist future permit applications for subdivision and development. Therefore, it is considered that the following information serves to suitably justify the proposed SRDP.

7.1 Future Urban Layout & Land Use Overview

The SRDP incorporates 8 individual properties with a combined overall area of approximately 5.39ha.

The primary land uses will comprise conventional and medium density residential. The Development Plan package includes several plans such as the Site Analysis, Road Network, Masterplan Concept Development Plan and exemplar Case Study Images, which are discussed in the following section of this report. A copy of the Masterplan Concept Development Plan is shown on the following page (see Figure 29).

The residential areas will be supported by a local road network that connects to Station Road and Plenty Road via a future connector street through the adjoining property to the south.

It is envisaged that required drainage infrastructure and servicing will be located below ground within the road reserve. The internal and external road network have been designed to ensure traffic is unobstructed and supports bicycle and pedestrian activity through the delivery of pedestrian paths and appropriate street design.

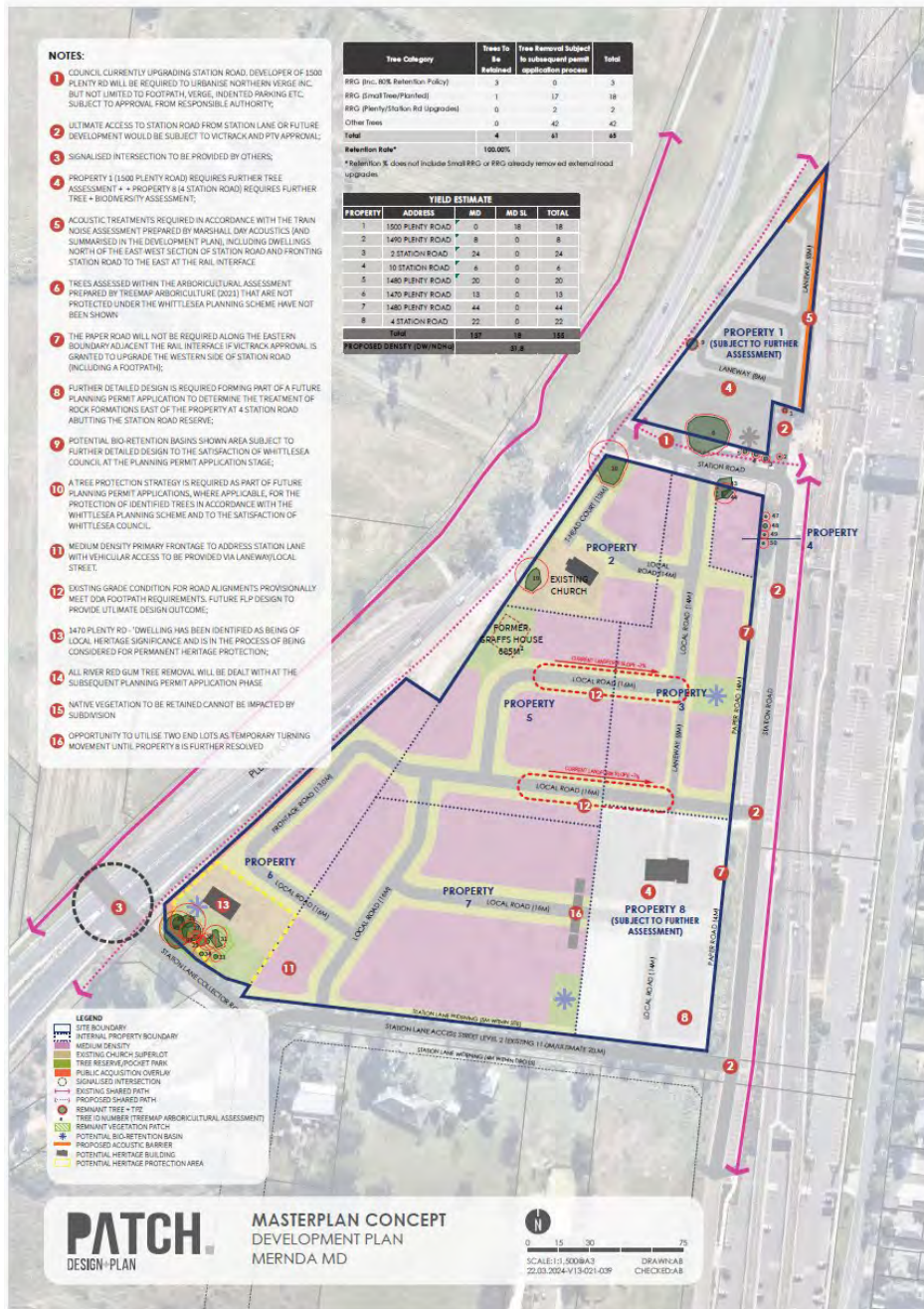


FIGURE 30- MASTERPLAN CONCEPT DEVELOPMENT PLAN PREPARED BY PATCH DESIGN+PLAN

7.2 Key Elements

7.2.1 Residential



The Urban Design response identifies residential areas appropriate to the site context and key interfaces.

This includes a mixture of conventional lots (300-450m²) and medium density residential areas (lots ranging from 150-300m²), with the majority of smaller lots accessed via rear laneways.

A series of exemplar images from several case studies have been provided to demonstrate the type and quality of built form that is anticipated for the medium density allotments. Please refer to the Concept Development Plan, forming part of the submitted Development Plan Package. An excerpt is also shown as Figure 30 below.

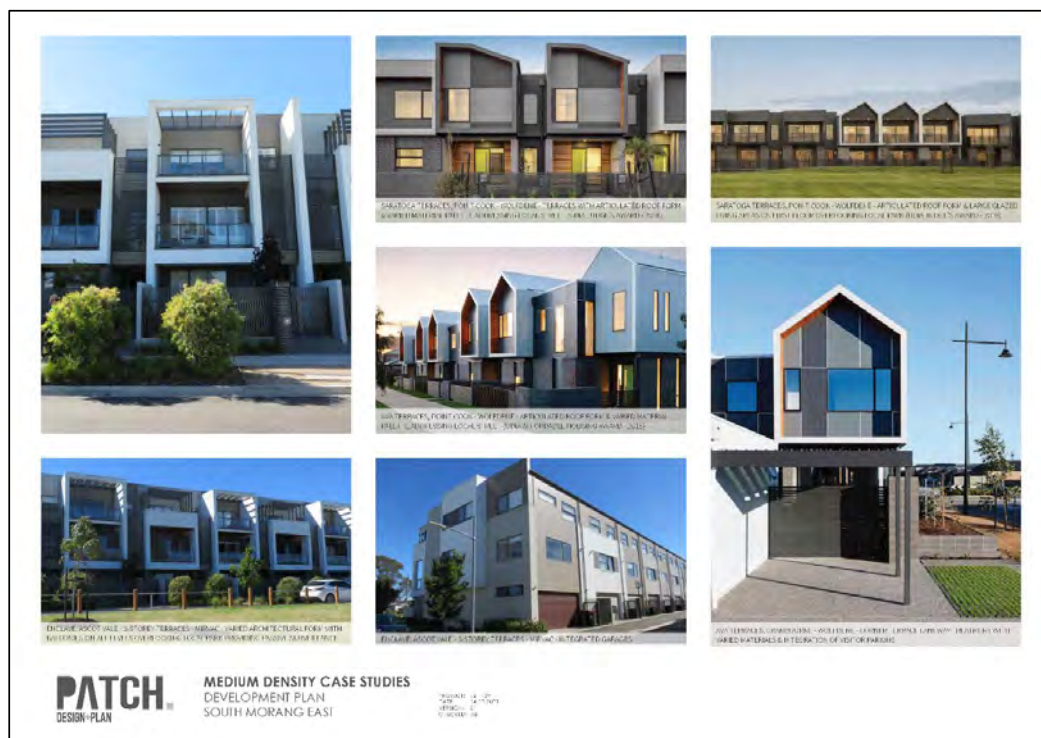


FIGURE 31- CASE STUDY IMAGES
PROVIDED BY PATCH DESIGN+PLAN

7.2.2 Servicing



A professional engineering consultant, Arcadis, were engaged to prepare a high-level servicing strategy for the provision of utilities to the subject area (Figure 31).

The key conclusions were as follows:

- All servicing infrastructure is available, or can be provided, to the subject site with potential for external extensions/upgrades;
- There is a sewer outfall to the north that should be able to provide for at least part of the site. Alternatively, it is expected that a sewer pump station could be required;
- There are a number of water assets adjacent to the subject site, however these may not have necessary capacity to service the site and therefore may require upgrades;
- Gas, power and NBN are available near to the site, although similarly some external upgrades may be required.
- All existing aerial services, including electricity (rated 22kV or less) and telecommunications assets, within the development area and streets abutting the subdivision are required to be undergrounded.

For further details please refer to the Drainage and Engineering Services Strategy, prepared by Arcadis, provided as **Appendix 7**.

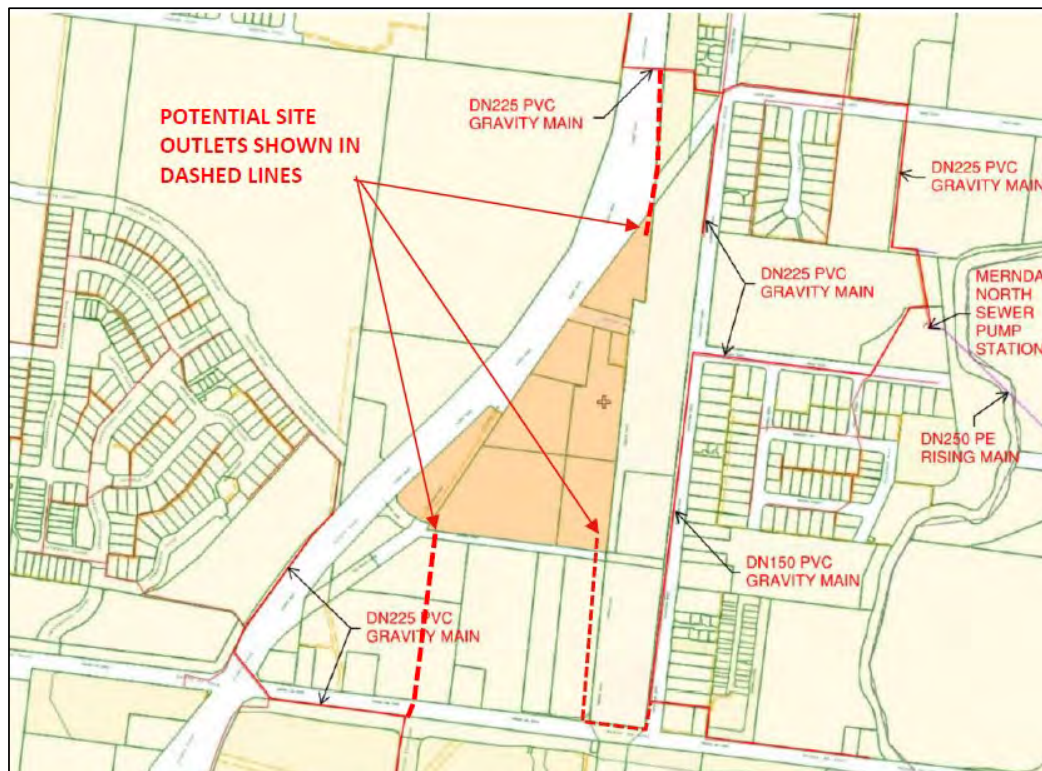


FIGURE 32- SEWER SERVICING PLAN
SOURE: YARRA VALLEY WATER

7.2.3 Drainage



The urban layout has been designed with consideration of flood conditions and to appropriately manage stormwater generated from urban development. An excerpt of the Mernda Central DSS is shown as Figure 32 below.

Site drainage infrastructure is summarised as follows (refer Figure 32 below):

- Stormwater runoff for the minor rainfall event will be collected and conveyed downstream via a traditional pit and pipe road drainage network (20% AEP, 5-year ARI)
- Roadways will be used to convey flows to the downstream for larger rainfall events up to the 1% AEP (100-year ARI) design rainfall event.
- Prior to discharging from the site, stormwater runoff from minor frequent events will undergo water quality treatment in bio-retention basins as a water sensitive urban design measure.
- Discharge locations from the site will ultimately aim to align with the Mernda Central DSS drainage layout with several outlets to Station Road to the east, the Station Lane easement to the south, and crossing Plenty Road to the west. Additional information is currently being sought from relevant authorities to confirm the status and hydraulic capacity of their nearby infrastructure.
- Depending on the status and timing of downstream infrastructure (proposed or constructed) some interim stormwater quantity measures, such as on-site detention basins, may be required.

For further details please refer to the Stormwater Management Strategy (SWMS), prepared by Arcadis, provided at **Appendix 8**.

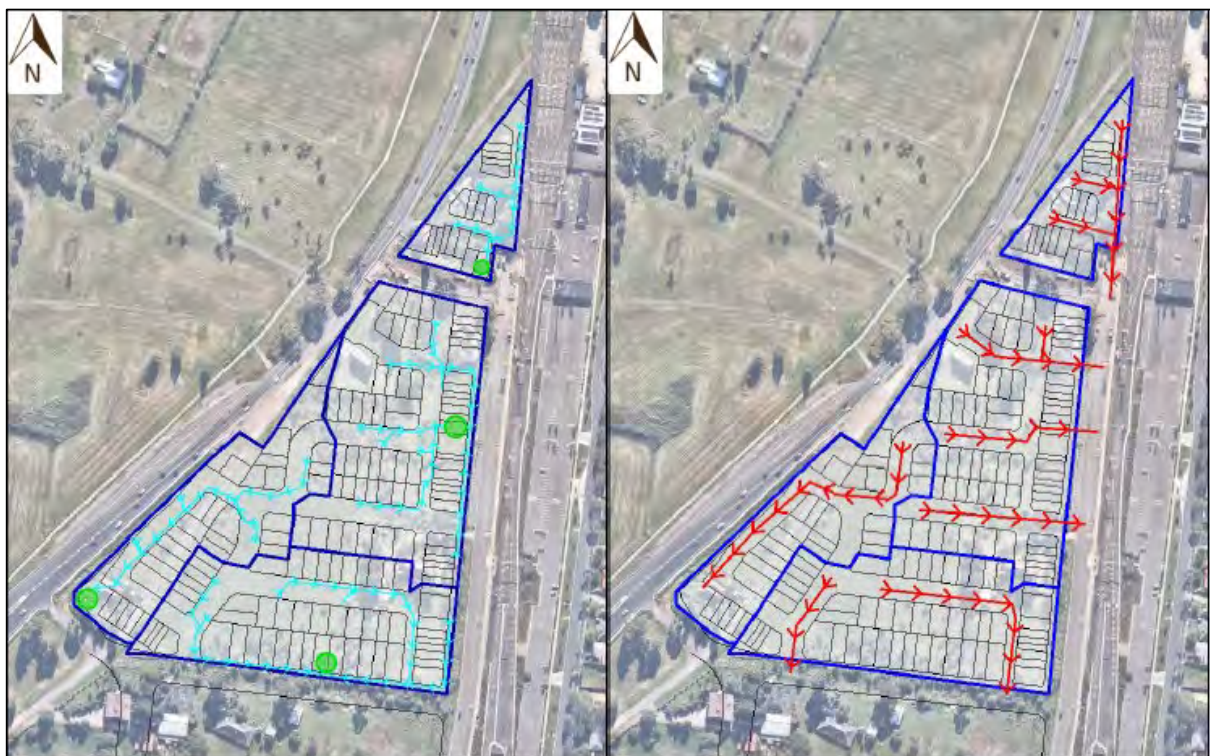


FIGURE 33- PROPOSED PIPE NETWORK (BLUE), BIO-RETENTION BASINS (GREEN) AND MAJOR FLOW PATHS (RED)
PREPARED BY ARCADIS

7.2.4 Access and Transport

Traffix Group

The urban layout has been designed with input from a professional traffic consultant, Traffix Group, to design a safe, convenient and efficient internal road network throughout the precinct (see Figure 33).

Key aspects of the transport network are described as follows:

- The road network is generally consistent with the Mernda Strategy Plan;
- It utilises the existing road network, as well as additional connections and upgrades, to provide a high level of vehicular, cycling and pedestrian permeability;
- Logical connections to the external network are provided;
- Traffic management measures have been identified to assist creation of a safe road environment, including intersection treatments;
- The proposed road network is expected to satisfactorily accommodate all future traffic movements;
- The proposed impact of the anticipated traffic volumes is expected to be minimal and manageable in the context of the overall road network.
- Street cross sections will be designed in accordance with City of Whittlesea's Guidelines for Urban Development.

For further details please refer to the Traffic Engineering Assessment, prepared by Traffix Group, provided at **Appendix 10**.

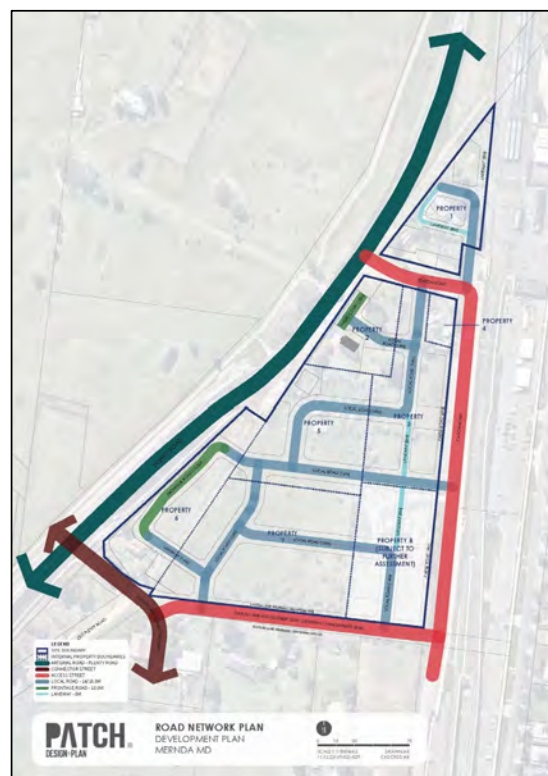


FIGURE 34 - ROAD NETWORK PLAN
PREPARED BY PATCH DESIGN+PLAN

7.2.5 Railway Interface Acoustic Treatment



The Train Noise Assessment, prepared by Marshall Day Acoustics, outlines several recommendations for appropriate noise attenuation to help meet guidelines for internal amenity of dwellings. This includes an acoustic barrier to the north-east boundary adjacent the train stabling yard, as well as building envelope design measures to dwellings behind the acoustic barrier and along the eastern boundary of the subject site (adjacent the train line). These measures include glazing systems, and façade and roof treatments. Proposed noise attenuation measures are also identified on the Masterplan Concept Development Plan.

For further details please refer to the Train Noise Assessment, provided at **Appendix 6**.

7.2.5 Biodiversity & Tree Retention / Removal



A Biodiversity Assessment and Arboricultural Assessment were undertaken for properties where access could be obtained. Field work was conducted to identify and map existing flora and fauna on the subject site.

Key aspects of the vegetation management are described as follows:

- Retention and removal of River Red Gums (RRG's) will be subject to detailed design at the planning permit stage to the satisfaction of the responsible authority.
- Several RRG's are outside the subject site and may be impacted by external factors, such as:
 - Tree nos. 1-5 are located outside the subject site may be removed to facilitate widening / urbanisation of Station Road and an interface road to the station.
 - Tree nos. 24 & 34 are located within the PAO.
- Other identified River Red Gums will require a planning permit for their removal and the provision of necessary offsets in accordance with the Whittlesea Planning Scheme.
- A native vegetation patch in the south-west corner will be impacted by land required for the applicable PAO. However, it is anticipated that a portion may be retained subject to future detailed design at the planning permit stage.
- River Red Gum trees must be assessed against Clause 12.01-1L of the Whittlesea Planning Scheme to ensure that preservation of high quality trees within local parks and widened nature strips.

Please refer to the Masterplan Concept Development Plan which identifies the location of existing trees within the SRDP area. It is worth noting that any future subdivision and development is not to affect the adjoining native vegetation that is to be retained.

For further details please refer to the Biodiversity Assessment, prepared by Ecolink Consulting, provided at **Appendix 3**.

7.2.6 Heritage



A Heritage Assessment was undertaken for St Joseph's Church, Graff's House and the Dry Stone Walls, as well as the dwelling on Property 6. Key recommendations of the report for the management of heritage features are as follows:

Dry Stone Walls

Recommendation 1: No further heritage assessment is required. The dry stone wall is assessed as being of local significance (see Section 4 of the assessment).

Recommendation 2: Use of Surplus Stone

The stone wall should be subject to restoration or salvage if restoration is not possible:

1. Dismantling the Wall/Restoration of the wall
 - A qualified practitioner must be used for any restoration work for the dry stone wall removal.
 - This must be done in a careful and systematic manner, preferably not during the winter, and in a fashion that does not break, chip or otherwise damage the stone.
2. Salvage and Storage of Material
 - The salvaged stone must be stored at a suitable location and in a manner that protects the stone from any future works, preferably where earthworks are not planned or where they have been completed.
3. Options for the salvage and reuse of the stone:
 - The stone from the historic wall material must be stockpiled and reused to help retain this aspect of the area's character through re-use in fencing and landscaping.
 - Surplus stone may be disposed off-site.

St Joseph's Church

Recommendation 3: St. Joseph's Catholic Church must be retained within the proposed development. The proposed lot containing the church must be designated a no-go zone during any ground disturbance works.

Recommendation 4: St Joseph's Catholic Church should be registered in the Heritage Victoria Database as an example of Victorian Gothic architecture.

Graff's House

Recommendation 5: Graff's House should be managed in accordance with the Consent to Damage permit.

Heritage Dwelling (Property 6)

A Heritage Protection Area (or 'curtilage') is shown on the SRDP for Property 6, affording protection to the dwelling subject to further assessment at the planning permit stage.

Please refer to the Masterplan Concept Development Plan which identifies the heritage features. For further details please refer to the Heritage Assessment, prepared by Benchmark Heritage, provided at **Appendix 4**.

7.3 Intrastructure Contributions

7.3.1 Melbourne Water Drainage Contribution

Developers are required to pay a contribution for the delivery of drainage infrastructure in accordance with the Mernda Central Development Services Scheme (DSS).

It is anticipated that this will be included as a permit condition to be paid by individual developers at the time of development. The contribution rates are currently listed as \$181,948 per hectare (hydraulic) and \$41,424 per hectare (water quality), respectively, although these are subject to change at any time. Please refer to the Melbourne Water website for the latest rates.

7.3.2 Development Contributions

Developers are required to pay a contribution for the provision of shared infrastructure in accordance with the Mernda Strategy Plan Development Contributions Plan Precinct 5 (DCP) and the Development Contributions Plan Overlay - Schedule 7 (DCPO7).

It is anticipated that this will be included as a permit condition to be paid by individual developers at the time of development. The current contribution rates (2022/23 indexed rates) are \$213,527.61 per hectare for the Development Infrastructure Levy (DIL) and \$219.72 per dwelling for the Community Infrastructure Levy (CIL). These rates are subject to annual indexation increases. Please refer to Council's website for the latest rates.

7.3.3 Public Open Space Contribution

A Public Open Space Contribution of 10.7% Gross Developable Area is required as part of future permit applications in accordance with the Mernda Strategy Plan and Clause 53.01 of the Whittlesea Planning Scheme.

7.4 Planning Permit Application Requirements

It is anticipated that future planning permit applications will need to submit additional information (including but not limited to the following), subject to the discretion of the Responsible Authority:

- Detailed Servicing Strategy
- Stormwater Management Strategy (SWMS)
- Traffic Impact Assessment
- Landscape Plan
- Arboricultural Assessment (Property 1 & 8)
- Comprehensive Heritage Assessment (Properties 6 and 8 only)
- Biodiversity Assessment (Property 8)

Property 8 elected to not be included in the preparation of background reports for this Development Plan. Consequently, they require the full suite of assessments to be prepared in accordance with the Whittlesea Planning Scheme prior to development of their property.

7.4.1 Design Guidelines

The implementation of Design Guidelines will be required to the satisfaction of Council, as a condition of a granted permit and implemented as a condition of the sale of contract of future residential lots. These should include measures specific to the site and relate to street address, interface and viewlines.

The following guidance should be considered in relation to double fronted lots:

- Design to provide overlooking (such as balconies) to promote passive surveillance of the public realm.
- Dual fronted lots must express non-dominant garage design treatments with vertical separation and secondary access to the lot supported.
- Design must conceal services from the public realm.
- Design must provide shared bin storage that is screened and located away from dwelling entry points and windows.

The Design Guidelines will also include guidance on limiting overshadowing of any adjoining native vegetation with a requirement for shadow diagrams to accompany any application for development.

8 Conclusion

This Development Plan has been prepared in accordance with the requirements of the Development Plan Overlay - Schedule 5 (DPO5) of the Whittlesea Planning Scheme. As demonstrated in preceding sections, the SRDP successfully responds to, and appropriately satisfies, the key design considerations set out in the DPO5, Mernda Strategy Plan and Whittlesea Planning Scheme.

In summary, the key benefits (as listed throughout this document) will be the ability to provide affordable and diverse housing opportunities in a high-quality neighborhood that respond to the site's convenient access to the Mernda Railway Station and emerging Mernda Town Centre.



FIGURE 35- MERNDA TOWN CENTRE

Station Road Development Plan

Appendix 1 SURVEY PLAN (PREPARED BY LYSSNA)

Station Road Development Plan

Appendix 2 ARBORICULTURAL ASSESSMENT AND REPORT (PREPARED BY TREEMAP ARBORICULTURE)

Station Road Development Plan

Appendix 3

BIODIVERSITY ASSESSMENT

(PREPARED BY ECOLINK CONSULTING)

Station Road Development Plan

Appendix 4 HERITAGE ASSESSMENT (PREPARED BY BENCHMARK HERITAGE)

Station Road Development Plan

Appendix 5 CONTAMINATION ASSESSMENT (PREPARED BY CONNOLLY ENVIRONMENTAL)

Station Road Development Plan

Appendix 6 TRAIN NOISE ASSESSMENT (PREPARED BY MARSHALL DAY ACOUSTICS)

Station Road Development Plan

Appendix 7 DRAINAGE AND ENGINEERING SERVICING STRATEGY REPORT (PREPARED BY ARCADIS)

Station Road Development Plan

Appendix 8

STORMWATER MANAGEMENT STRATEGY

(PREPARED BY ARCADIS)

Station Road Development Plan

Appendix 9 DEVELOPMENT PLAN PACKAGE (PREPARED BY PATCH DESIGN+PLAN)

Station Road Development Plan

Appendix 10 TRAFFIC ENGINEERING ASSESSMENT (PREPARED BY TRAFFIX GROUP)

WPA.

WHITEMAN

PROPERTY &
ASSOCIATES

NOTES:

- 1 COUNCIL CURRENTLY UPGRADING STATION ROAD. DEVELOPER OF 1500 PLENTY RD WILL BE REQUIRED TO URBANISE NORTHERN VERGE INC. BUT NOT LIMITED TO FOOTPATH, VERGE, INDENTED PARKING ETC. SUBJECT TO APPROVAL FROM RESPONSIBLE AUTHORITY;
- 2 ULTIMATE ACCESS TO STATION ROAD FROM STATION LANE OR FUTURE DEVELOPMENT WOULD BE SUBJECT TO VICTRACK AND PTV APPROVAL;
- 3 SIGNALISED INTERSECTION TO BE PROVIDED BY OTHERS;
- 4 PROPERTY 1 (1500 PLENTY ROAD) REQUIRES FURTHER TREE ASSESSMENT + + PROPERTY 8 (4 STATION ROAD) REQUIRES FURTHER TREE + BIODIVERSITY ASSESSMENT;
- 5 ACOUSTIC TREATMENTS REQUIRED IN ACCORDANCE WITH THE TRAIN NOISE ASSESSMENT PREPARED BY MARSHALL DAY ACOUSTICS (AND SUMMARISED IN THE DEVELOPMENT PLAN), INCLUDING DWELLINGS NORTH OF THE EAST-WEST SECTION OF STATION ROAD AND FRONTING STATION ROAD TO THE EAST AT THE RAIL INTERFACE
- 6 TREES ASSESSED WITHIN THE ARBORICULTURAL ASSESSMENT PREPARED BY TREEMAP ARBORICULTURE (2021) THAT ARE NOT PROTECTED UNDER THE WHITTLESEA PLANNING SCHEME HAVE NOT BEEN SHOWN
- 7 THE PAPER ROAD WILL NOT BE REQUIRED ALONG THE EASTERN BOUNDARY ADJACENT THE RAIL INTERFACE IF VICTRACK APPROVAL IS GRANTED TO UPGRADE THE WESTERN SIDE OF STATION ROAD (INCLUDING A FOOTPATH);
- 8 FURTHER DETAILED DESIGN IS REQUIRED FORMING PART OF A FUTURE PLANNING PERMIT APPLICATION TO DETERMINE THE TREATMENT OF ROCK FORMATIONS EAST OF THE PROPERTY AT 4 STATION ROAD ABUTTING THE STATION ROAD RESERVE;
- 9 POTENTIAL BIO-RETENTION BASINS SHOWN AREA SUBJECT TO FURTHER DETAILED DESIGN TO THE SATISFACTION OF WHITTLESEA COUNCIL AT THE PLANNING PERMIT APPLICATION STAGE;
- 10 A TREE PROTECTION STRATEGY IS REQUIRED AS PART OF FUTURE PLANNING PERMIT APPLICATIONS, WHERE APPLICABLE, FOR THE PROTECTION OF IDENTIFIED TREES IN ACCORDANCE WITH THE WHITTLESEA PLANNING SCHEME AND TO THE SATISFACTION OF WHITTLESEA COUNCIL.
- 11 MEDIUM DENSITY PRIMARY FRONTAGE TO ADDRESS STATION LANE WITH VEHICULAR ACCESS TO BE PROVIDED VIA LANEWAY/LOCAL STREET.
- 12 EXISTING GRADE CONDITION FOR ROAD ALIGNMENTS PROVISIONALLY MEET DDA FOOTPATH REQUIREMENTS. FUTURE FLP DESIGN TO PROVIDE UTLIMATE DESIGN OUTCOME;
- 13 1470 PLENTY RD - 'DWELLING HAS BEEN IDENTIFIED AS BEING OF LOCAL HERITAGE SIGNIFICANCE AND IS IN THE PROCESS OF BEING CONSIDERED FOR PERMANENT HERITAGE PROTECTION;
- 14 ALL RIVER RED GUM TREE REMOVAL WILL BE DEALT WITH AT THE SUBSEQUENT PLANNING PERMIT APPLICATION PHASE.

| YIELD ESTIMATE | | | | | |
|-----------------------------------|------------------|--------------|------------|-----------|------------|
| PROPERTY | ADDRESS | CONVENTIONAL | MD | MD SL | TOTAL |
| 1 | 1500 PLENTY ROAD | 0 | 0 | 18 | 18 |
| 2 | 1490 PLENTY ROAD | 0 | 8 | 0 | 8 |
| 3 | 2 STATION ROAD | 0 | 24 | 0 | 24 |
| 4 | 10 STATION ROAD | 0 | 6 | 0 | 6 |
| 5 | 1480 PLENTY ROAD | 0 | 20 | 0 | 20 |
| 6 | 1470 PLENTY ROAD | 8 | 5 | 0 | 13 |
| 7 | 1480 PLENTY ROAD | 27 | 19 | 0 | 46 |
| 8 | 4 STATION ROAD | 3 | 19 | 0 | 22 |
| Total | | 38 | 101 | 18 | 157 |
| PROPOSED DENSITY (DW/NDHa) | | 32.2 | | | |

| Tree Category | Trees To Be Retained | Trees To Be Removed | Total |
|----------------------------------|----------------------|---------------------|-----------|
| RRG (Inc. 80% Retention Policy) | 4 | 0 | 4 |
| RRG (Small Tree/Planted) | 1 | 17 | 18 |
| RRG (Plenty/Station Rd Upgrades) | 0 | 2 | 2 |
| Other Trees | 0 | 42 | 42 |
| Total | 5 | 61 | 66 |
| Retention Rate* | 100.00% | | |

*Retention % does not include Small RRG or RRG already removed external road upgrades

LEGEND

- [Blue dashed line] SITE BOUNDARY
- [Red dashed line] INTERNAL PROPERTY BOUNDARY
- [Pink shaded area] RESIDENTIAL (CONVENTIONAL/MEDIUM DENSITY)
- [Green shaded area] EXISTING CHURCH SUPERLOT
- [Green shaded area] TREE RESERVE/POCKET PARK
- [Red dashed line] PUBLIC ACQUISITION OVERLAY
- [Red dashed line] SIGNALISED INTERSECTION
- [Red dashed line] EXISTING SHARED PATH
- [Red dashed line] PROPOSED SHARED PATH
- [Green circle with 'T'] REMNANT TREE + TPZ
- [Green circle with 'I'] TREE ID NUMBER (TREEMAP ARBORICULTURAL ASSESSMENT)
- [Green shaded area] REMNANT VEGETATION PATCH
- [Blue star] POTENTIAL BIO-RETENTION BASIN
- [Red star] PROPOSED ACOUSTIC BARRIER
- [Red star] POTENTIAL HERITAGE BUILDING
- [Red star] HERITAGE PROTECTION AREA



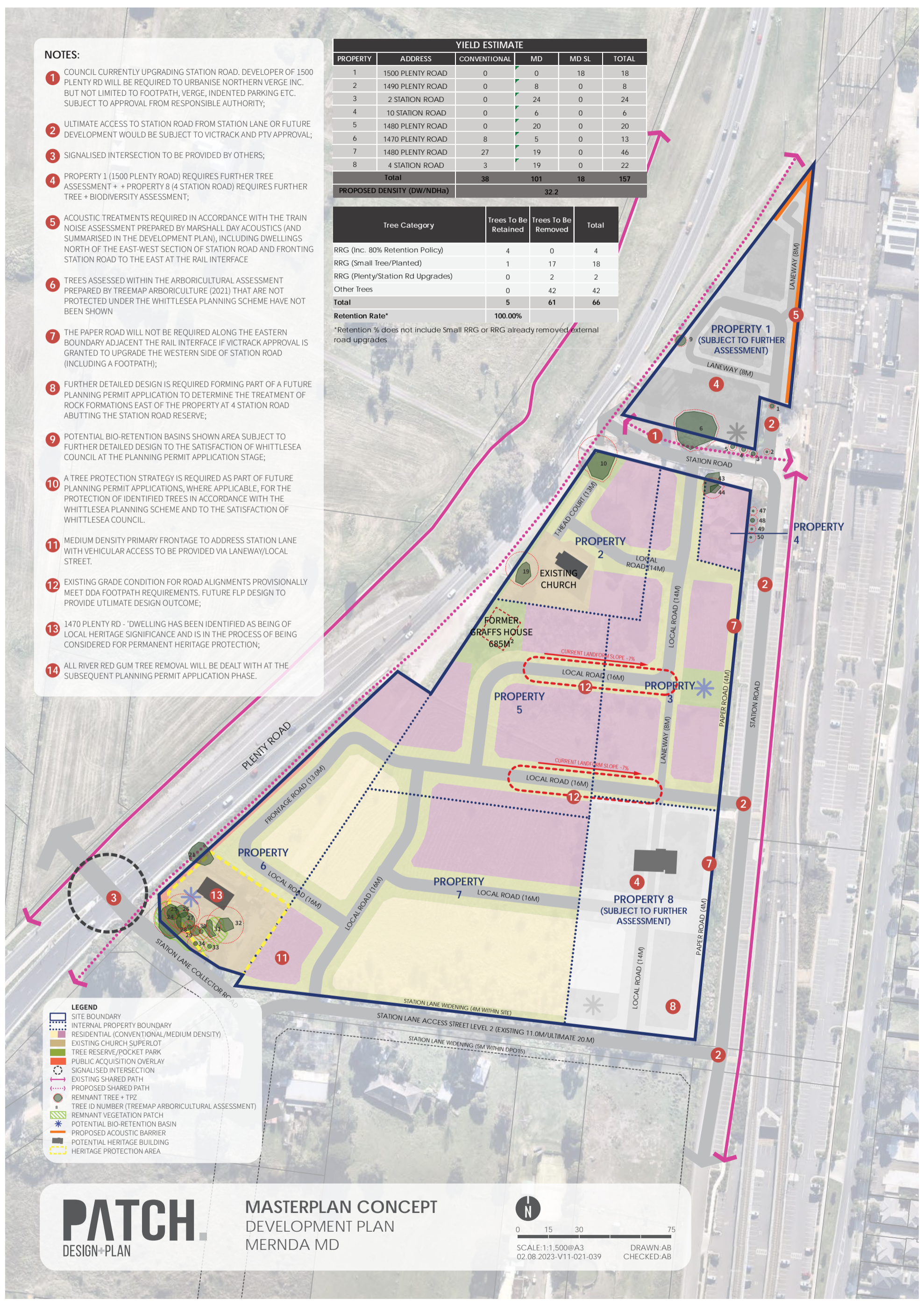
**MASTERPLAN CONCEPT
DEVELOPMENT PLAN
MERNDA MD**

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SCALE: 1:1,500@A3
02.08.2023-V11-021-039

DRAWN: AB
CHECKED: AB



Attachment 3: Site Context Plan



 Land affected by the Station Road
Development Plan

Attachment 3: Suburb Context Plan



-  Land affected by the Station Road Development Plan
-  Urban Growth Boundary
-  Suburb Boundary

Attachment 4 - Station Road Development Plan Submissions Summary and Officer Response Table

| Key Submission Points | Officer Response |
|---|--|
| 1. Affected Landowner- Plenty Road | |
| <p>a) Requests that the residential land along Plenty Road be designated as 'Medium Density' rather than 'Conventional Housing' in accordance with the overarching strategy, the MSP. The Development Plan does not explain why some areas are 'Conventional Housing' and others are 'Medium Density'.</p> | <p>The designation of medium and convention density development has been reviewed. The Development Plan has been updated to redesignate the land along Plenty Road from conventional density to medium density. The Council Report recommends the land to the east of the heritage dwelling be updated to conventional density as a transition of density from the heritage site to medium density development.</p> <p>The Development Plan has been updated to include indicative lot sizes to provide greater certainty of development outcomes.</p> |
| <p>b) Requests that the area of heritage curtilage read 'potential heritage protection area' rather than 'heritage protection area' as this is subject to further heritage assessment and strategic process. The background colour within the heritage area has no specified purpose according to the legend.</p> | <p>The Development Plan legend has been updated to reflect the requested change.</p> |
| <p>c) Asserts that the Development Plan should recognise the options for future use of the heritage building and this should not be limited to only residential.</p> | <p>The Development Plan does not limit the use of the heritage building to only residential uses. Consideration may be given as part of the separate planning process to apply the Heritage Overlay as to whether the site is suitable for a wider range of potential uses which may encourage the adaptive re-ruse of the building.</p> |
| <p>d) Requests that the 'Possible bioretention basin' is shown within a public reserve similar to those in other areas of the Plan.</p> | <p>The Development Plan has been updated to apply the tree reserve/pocket park colour to the area including the trees and potential bioretention basin.</p> |
| <p>e) Expresses concern that the bioretention basin shown on Property 8 in the Development Plan (and not Property 7) may result in additional stormwater being directed to Property 6.</p> | <p>Refer to response 2 b. below.</p> |
| <p>f) States that the Development Plan shows Property 1 and Property 8 in different shades of grey and that it is unclear what the status is of these</p> | <p>Property 1 and Property 8 both form part of the Development Plan. As both properties are subject to further assessment they are shown as grey on the plan. Property 1 will require an arborist report and Property 8 will require an</p> |

| | |
|--|---|
| properties and whether they form part of the Development Plan. | arborist and biodiversity assessment at the planning permit stage. |
| g) States that there is no suggestion that the trees are of heritage significance which should be indicated. | The trees are not of heritage significance. |
| h) Indicated that two trees within the property have been removed from the land and therefore should not be shown on the masterplan. | The Development Plan has been updated to remove trees 21 and 32 from the Development Plan. |
| i) Asserts that the use of Station Road as the only vehicle access to the Development Plan area leaves 1470 Plenty Road landlocked until the property to the east is developed. Requests that the Development Plan shows a driveway/road in front of the heritage building connecting to Station Lane or as a temporary and alternative vehicle access arrangement. | The Development Plan aims to provide a permeable street network and integrate the various parcels into a cohesive layout. Due to no access being allowed to Plenty Road, this restricts options for road access. The Development Plan does not go to the level detail of showing driveway access and this can be determined at the planning permit stage. |
| j) Requests that the Development Plan provide opportunities for community uses to locate on the land subject to further assessment. | The Development Plan does not prohibit community uses from locating within the Development Plan area in accordance with the overarching zone. However, a community use may be subject to further assessment at the planning permit stage and would need to meet the objectives and requirements of the Whittlesea Planning Scheme and be generally in accordance with the Mernda Strategy Plan and the approved Development Plan. The use of land within the Development Plan accords with the Mernda Strategy Plan which is the overarching strategic plan for the suburb. |
| k) Does not support the road alignment (loop road) as it restricts development opportunity. Suggests that the loop road is removed and rear laneway access with the medium density residential. | The loop road is required as the land is designated as medium density to ensure there is adequate visitor car parking within the road reserve and a more permeable road network. Additionally, this provides a more appropriate interface to Plenty Road, an arterial road which will provide no opportunity for on-street car parking. |
| 2. Affected Landowner - Station Road | |
| a) Objects to the Development Plan. States that they had declined participation in the development plan and does not provide consent. Requests that their property is excluded from the Development Plan. | Development Plan Overlay - Schedule 5 (DPO5) applies to the subject property and therefore a Development Plan is required to subdivide the land. Any future planning permit must be in accordance with the proposed Development Plan. DPO5 requires a Development Plan to be prepared in order to implement the objectives of the Mernda Strategy Plan. This is unlikely to |

| | |
|--|--|
| | <p>be achieved in areas of fragmented land ownership with properties being developed individually. For this reason, DPO5 requires Development Plans to be prepared for precincts rather than individual holdings. As such, its inclusion in the Development Plan provides for orderly planning of the sub precinct and urban development of the subject property. The Development Plan does not prevent future subdivision of the land or retention or use of the existing dwelling.</p> |
| <p>b) Asserts that the development arrangement favours adjoining properties and will devalue the property value. Argues that the road arrangement significantly reduces the available land for housing.</p> <p>Also requests that the bio-retention basin be relocated to the property directly adjacent as well as the local access road.</p> | <p>The Development Plan has been updated to terminate the east-west local road at the eastern boundary of Property 7. A temporary turn around area is to be provided. The alignment of the east-west local road through Property 8 will be subject to further assessment.</p> <p>The Development Plan has been updated to relocate the bio-retention basin within Property 7.</p> |
| <p>c) Opposes the use of their land for the widening or extending of Station Lane as the property is not serviced by Station Lane.</p> | <p>Noted. There is no proposal for the Development Plan to apply to the submitters land or to amend the existing approved Development Plan affecting the submitters land. As such, a recommendation of the Council Report is that the Development Plan include following statement: <i>In relation to the Station Lane widening, the adjoining Mernda Town Centre North East Development Plan states the following: Development of the Development Plan may potentially require its reservation to be widened to 20m to allow a bus service to operate. Should Station Lane not be required to accommodate a bus service the ultimate reservation can be re-negotiated at the planning permit application stage.</i></p> |
| <p>3. Department of Energy, Environment and Climate Action</p> | |
| <p>a) State that the Development Plan does not demonstrate how native vegetation will be avoided or minimised. The current proposed lot layout and reserve/pocket park sizes will result in consequential loss of all identified native vegetation.</p> | <p>Native vegetation removal will be assessed at the planning permit stage, when the applicant will have to demonstrate how native vegetation removal has been avoided and minimised.</p> <p>The Council Report recommends including requirements in the Development Plan to maximise the retention of River Red Gums,</p> |

| | |
|--|--|
| | including juvenile River Red Gums, at the planning permit stage. |
| <p>b) State that the proposed layout does not anticipate changes that might be required should native vegetation of high biodiversity value or important biodiversity values be identified within Property 8.</p> <p>Of particular concern is the location of the proposed east-west local road connection through the centre of Property 7 which may be subject to change should the further assessments identify significant values. It is recommended allowance be included for a vehicle turnaround on the proposed local road at the eastern boundary of Property 7 (or similar) should through access to Property 8 not be achieved.</p> | <p>Officers agree that the exhibited Development Plan did not anticipate changes that might be required to the layout if native vegetation or biodiversity values are identified within Property 8.</p> <p>The Development Plan layout has been updated to terminate the east-west road at the eastern boundary of Property 7 and a turn around area will be provided. Refer to response 2 b. above.</p> |
| <p>c) State that the native vegetation and biodiversity values within the Station Lane road reserve that runs along the southern boundary of the DP area have not been assessed. There is potential for direct and indirect impacts to native vegetation and biodiversity values from the DP which have not been considered. This includes potential direct impacts to native vegetation on the adjacent road reserve from potential site outlets shown on Figure 32 – sewer servicing plan and the proposed pipe network, bioretention basins and major flow paths or from construction of the access street or station lane widening shown on Figures 30 and 34.</p> | <p>The Development Plan has been updated to include the following note - <i>'any future subdivision and development is not to affect the adjoining native vegetation that is to be retained.'</i></p> |
| <p>d) Recommend that the Design Guidelines (Section 7.4.1) include guidance on limiting overshadowing of any retained native vegetation with a requirement for shadow diagrams to accompany any application for development adjoining lots, reserves or open space where native vegetation is proposed to be retained.</p> | <p>A note to this effect has been included in the Development Plan Report.</p> |

| | |
|--|--|
| <p>e) State that the Biodiversity Assessment report conclusions that there is a low potential for the EPBC Act listed and FFG Act listed threatened Matted Flax-lily <i>Dianella amoena</i> does not appear to have considered the ability of this species to persist in areas of predominantly non-native vegetation and the low likelihood of detectability of this species outside the flowering time. Recommend that further consideration be given to the potential for impact to this species.</p> | <p>The following note has been included in Section 7.4 of the Development Plan: <i>Given seasonal conditions on the site it is possible that flora and fauna identified within the Environment Protection and Biodiversity Conservation (EPBC) Act may present within the Development Plan area and may require further assessment at the planning permit stage.</i></p> |
| 4. APA APT O&M Services Pty Ltd | |
| <p>Makes no objection to the proposed Development Plan.</p> | <p>Submission noted.</p> |
| 5. APA VTS Australia (Operations) Pty Limited | |
| <p>Makes no objection to the proposed Development Plan.</p> | <p>Submission noted.</p> |
| 6. Country Fire Authority | |
| <p>Supports the Development Plan in its current form and provides the below advice in relation to fire safety for Development:</p> <ul style="list-style-type: none"> • Sufficient width roads/ streets to permit emergency vehicles access at times, • Reliable, reticulated Fire Hydrant system – pressure and flow, • Vegetation throughout the location managed in a fuel modified state during the Fire Danger Period. | <p>Submission noted.</p> <p>The Development Plan provides for sufficient road widths for emergency vehicle access. Additional fire safety measures can be addressed in later stages of Development.</p> |
| 7. Melbourne Water | |
| <p>Makes no objection to the proposed Development Plan.</p> <p>Notes that the Development Plan looks to connect into local drainage infrastructure for the 20% AEP flow through underground pipe infrastructure and overland flows. Considers the Development Plan to be generally in accordance to the DSS.</p> | <p>Submission noted.</p> |
| 8. Melbourne Water | |
| <p>Makes no objection to the proposed Development Plan.</p> | <p>Submission noted.</p> |
| 9. Department of Transport and Planning | |
| <p>a) Requests that the statement in relation to access to Station Road is updated to including the following wording “Ultimate access to Station Road from Station Lane or future development would be subject to VicTrack and PTV</p> | <p>Noted. It is considered that statement “Ultimate access to Station Road from Station Lane or future development would be subject to VicTrack and PTV approval.’ implies that an alternative access would need to be provided in</p> |

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| <p>approval. If not approved by the relevant authority, the Development Plan is to be amended to provide alternate access arrangement”.</p> | <p>the instance that it is not approved by VicTrack or PTV. This statement is consistent with the approved Mernda Town Centre North East Development Plan to the immediate south that also contemplates access to Station Road.</p> |
| <p>b) States that the intersection of Plenty Road and Everton Drive will be constructed by the City of Whittlesea and if not funded by Council requirement should be included in the Development Plan for it to be constructed as part of the Development Plan.</p> | <p>The signalised intersection at Plenty Road and Everton Drive will be funded and constructed by the City of Whittlesea.</p> |
| <p>c) Notes that the intersection of Plenty Road/Station Road would not be able to restrict left-in/left-out without physical restrictions.</p> | <p>The Development Plan identifies the intersection at Plenty Road and Station Road as left-in/left-out. It is considered that any physical restrictions can be incorporated into the intersection as part of its future upgrade.</p> |
| <p>d) Requests that the Development Plan identifies how the left-in/left-out at Plenty Road/Station Road will match in with the access to the future Regional Aquatic and Sports Centre at Mernda.</p> | <p>The detailed design of this intersection can be considered at the planning permit stage noting the need to consider access to the future Regional Aquatic and Sports Centre at Mernda.</p> |
| <p>e) States that there are no noise contours included in the submitted noise report to review the noise attenuation measures for the southern portion of the precinct.</p> | <p>The noise levels were measured in the southern portion of the site and found to be below the required thresholds for noise attenuation measures.</p> |
| <p>f) States that it is necessary to consider traffic movements in and out to and from the arterial road network after deciding an appropriate road network for the precinct. This can be provided at the planning permit stage.</p> | <p>Noted.</p> |