

Whittlesea Planning Scheme Review 2018

“A better-practice planning scheme is clearly focused, easy to use, transparent, responsive to changing planning demands and community expectations and supported by efficient administrative processes.”

VAGO 2016

May 2019

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Executive Summary

The Whittlesea Planning Scheme Review 2018 has been prepared in accordance with Practice Note 32: *Review of Planning Schemes* and the requirements under the *Planning and Environment Act*.

The review follows the completion of 4 actions identified by the last planning scheme review completed in 2013. Since the last Planning Scheme Review, significant changes have occurred in the planning system, including substantial changes to the Victoria Planning Provisions and in particular, the introduction of a new Planning Policy Framework which integrates State, regional and local policies. The City of Whittlesea will form part of the first group of Council's to translate its local policy content into the new format.

This report identifies the land use policy directions since the last planning scheme review and identifies the key land use issues facing the municipality. The review is informed by State and local government strategies, internal and external consultation and forecasting and research papers conducted on behalf of Council.

Overall the review found the planning scheme to be performing well and Council is responding to identified deficiencies. Where there are areas of improvement, the report provides recommendations to either address the issue or undertake further strategic work. In summary this review highlights the need to adopt a continuous improvement model which includes reviewing local policies, Development Plan Overlays, PSPs and corrective amendments.

1. Introduction

Pursuant to Section 12(1) (b) of the *Planning and Environment Act 1987* (the *Act*), the City of Whittlesea is required to regularly review the operations of its Planning Scheme. The *Act* specifies that:

'A planning authority which is a Municipal Council must review its Planning Scheme –

(a) no later than one year after each date by which it is required to approve a Council Plan under section 125 of the Local Government Act 1989; or

(b) within such longer period as is determined by the Minister.'

Pursuant to Section 12A (4) of the *Act*, the City is also required to ensure that the Municipal Strategic Statement (MSS) is consistent with the current Council Plan. Although the *Act* does not require the specific details of the Council Plan to be reiterated within the MSS; the review must consider and incorporate the pertinent parts of the Council Plan within the Local Planning Policy Framework (LPPF). It must also ensure that MSS objectives are consistent with land use objectives outlined in the Council Plan.

In line with the above, the Planning Scheme Review (PSR) must examine:

- The existing policy content within Clause 21 and Clause 22 of the Whittlesea Planning Scheme (WPS)
- The application and performance of the zones in the WPS
- The application and performance of the overlays in the WPS, and
- The detail of the schedules in the WPS.

1.1 Overview of Whittlesea Planning Scheme reviews

In the late 1990s when the State Government reformed Planning Schemes, all Councils were required to standardise their Planning Schemes to a set format, known as the “*New Format Planning Scheme*”. The New Format Whittlesea Planning Scheme (WPS) was approved by the Minister for Planning in July 1999. Since that time, the WPS has remained largely unchanged.

Planning Scheme Review 2002

The first Whittlesea Planning Scheme Review was completed in October 2002. The 2002 Review focused specifically on:

- the progress of the strategic priorities identified in the Minister’s letter of approval of the Scheme (in 1999); and
- the performance of the Municipal Strategic Statement (MSS)

The key strategic issue identified within the 2002 Review related to the fact that the municipality was encountering conflicting pressures for significant urban expansion, whilst also trying to preserve environmentally significant areas. Four fronts of urban expansion were identified, including South Morang, Epping North, Mernda/Doreen and the Cooper Street Employment Area. The supply of community and physical infrastructure to these new communities formed the basis for future strategic policy direction within the City of Whittlesea.

Since that time a significant number of amendments were made to the Whittlesea Planning Scheme (WPS), particularly to facilitate the growth of new communities.

Planning Scheme Review 2013

The most comprehensive Planning Scheme Review (PSR) occurred in 2011-2013. A key output of that was a background report: the *Planning Scheme Review Technical Report 2013*. The findings of the *PSR Technical Report 2013* were consolidated into the *Planning Scheme Review Report 2013*.

The *PSR 2013* Report identified a staged approach to updating and enhancing the performance of the planning scheme. Specifically, 4 Actions were identified which would implement the recommendations set out in the *PSR Technical Report* and the key findings identified in the *PSR 2013 Report* (Figure 1).

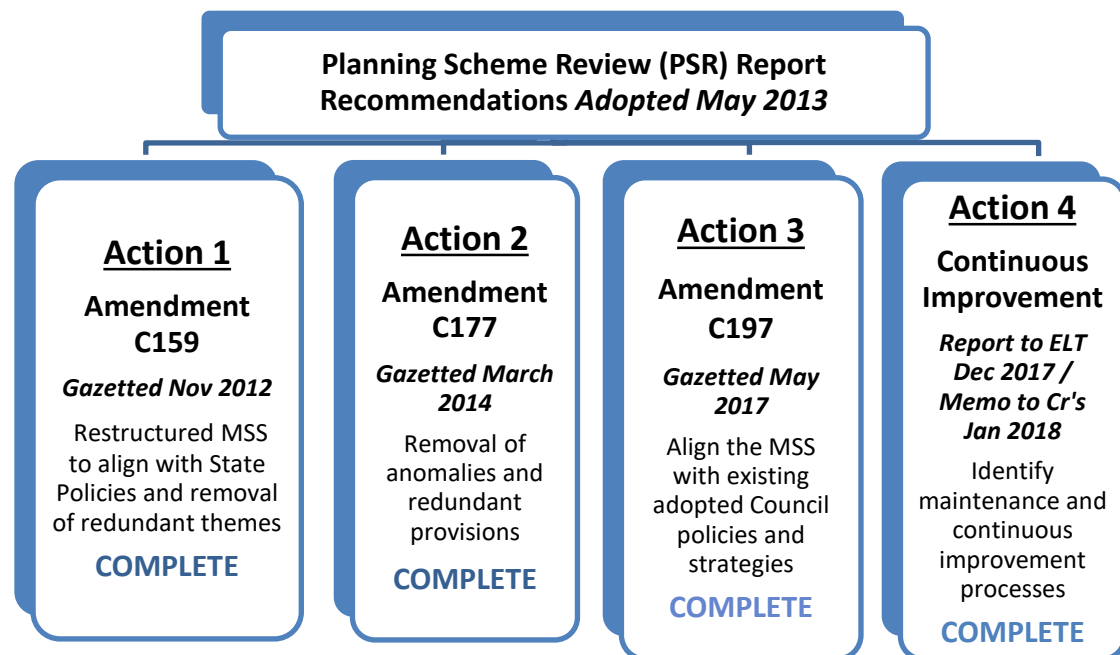


Figure 1: Planning Scheme Review 2013 - Implementation Actions

As indicated in Figure 1, Action 1 of the implementation was the restructure of the MSS to reflect the relevant Practice Note and the removal of duplicated or anomalous provisions. This was completed as part of Amendment C159, which was gazetted in November 2012.

Action 2 of the implementation was the removal of redundant provisions of the Whittlesea Planning Scheme, improved format of the Local Planning Policy Framework (including policies and controls) and correction of identified mapping anomalies. This was completed as part of Amendment C177, and gazetted in March 2014.

Action 3 of the implementation significantly updated Clause 21 MSS to incorporate land use content from Council adopted policies and strategies into the Whittlesea Planning Scheme. This was completed as part of Amendment C197, and gazetted in May 2017.

Action 4 of the implementation of the PSR 2013 Report sought to identify a best practice maintenance and continuous improvement framework for the Whittlesea Planning Scheme. The Action 4 Continuous Improvement Summary Report was completed in December 2017.

With respect to the recommendations in the *PSR Technical Report 2013* (Background Report), a review was undertaken which indicates that most have been substantially either complete or commenced (Figure 2).

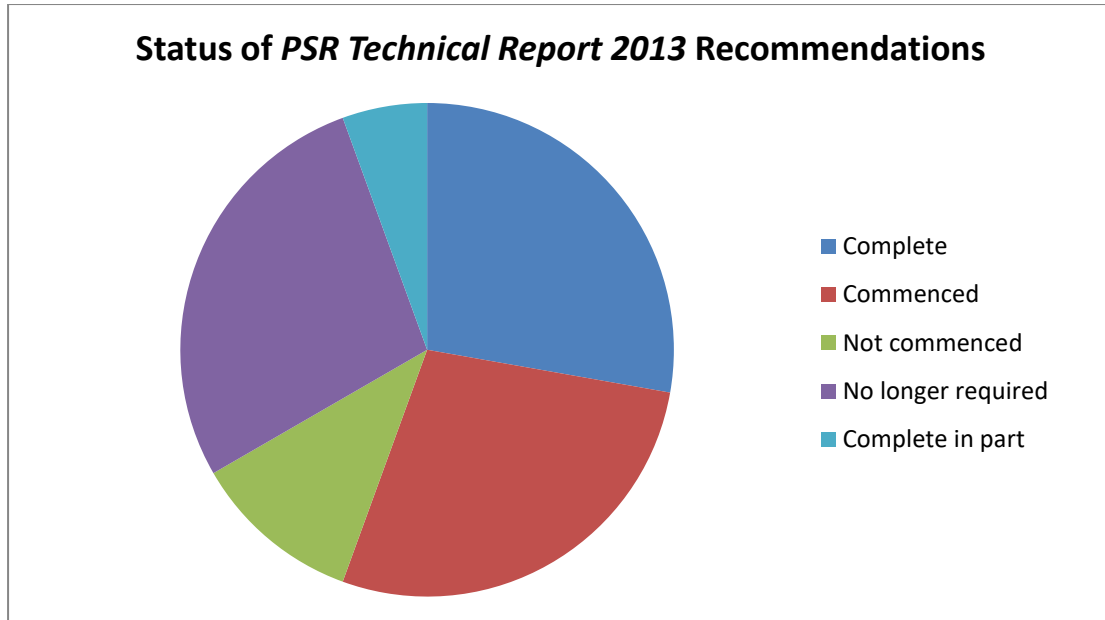


Figure 2: Planning Scheme Review Technical Report 2013 – Status of Recommendations

The following is a summary of those recommendations identified as having not commenced or projects which have been commenced and are still underway:

- Review Green Wedge Zones and schedules (this has also been identified in the Land Capability Assessment Project, Milestone 4: *Future prospects of local agriculture in the City of Whittlesea – Report 2018*).
- Amend the Rural Conservation Zone Schedule maps.
- Ongoing reviews of DPOs.
- Rezone planning anomalies.
- Research and prepare a local gaming planning policy for the Whittlesea Planning Scheme that has regard to the *Gambling Strategy and Action Plan 2014-2024* to guide the location and design of venues.
- Strengthen policies and controls relating to new dams in rural areas so that stream flows in local waterways can be maintained and enhanced.
- Identify the appropriate proportion of social and affordable housing within structure plan areas (including both established and greenfield areas) and investigate possible planning mechanisms to deliver and facilitate social and affordable housing.

These recommendations are still deemed relevant and should be included as further strategic work as part of this report.

PSR Recommendation: Include the outstanding actions from the *PSR Technical Report 2013* (listed above) as Further Strategic Work.

1.2 Reviewing a Planning Scheme

The purpose of regular reviews of planning schemes is to enhance the effectiveness and efficiency of the scheme by ensuring that the land use planning framework adequately addresses Council's position on preferred land use development outcomes.

Section 12B of the *Planning and Environment Act 1987* (the Act) requires a planning authority to regularly review the provisions of the planning scheme. In accordance with statutory requirements, a broad review of the major planning issues facing the municipality has been undertaken as part of this review.

Scope of Planning Scheme Review

A planning scheme review must be prepared in accordance with *Practice Note 32: Review of Planning Scheme* and the requirements of the *Planning and Environment Act 1987*. In line with the Practice Note, the review must examine whether the scheme provisions, such as local planning policies, zones, overlays and schedules have been effective and efficient in achieving the objectives and strategies of the planning scheme. In addition, the review provides an opportunity to assess whether planning process can be improved by streamlining processes, reducing the complexity of processes and identifying unnecessary permit requirements.

The review is also informed by: previous audit recommendations, internal consultations, Planning Panel reports and VCAT decisions, changes to SPP, corporate documents and further strategic work.

The methodology for this project included the following:

- a review to examine the MSS and existing local policies in the context of changes and growth in the municipality.
- to review and examine the existing State policies that are relevant to local planning to ensure consistency between the State and local policy framework.
- to review and examine VCAT decisions and Victorian Planning Panel reports that are relevant to Whittlesea Planning Scheme.
- review and document planning scheme amendments that reflect the local strategic work that has been completed or carried out since the last review.

- to make recommendations for any required changes to the MSS, zones, overlays, schedules and other provisions of the Whittlesea Planning Scheme.
- to recommend removal of outdated provisions.
- to assess whether audit findings and recommendations made to the planning system and Council's process have been incorporated in business improvement processes.

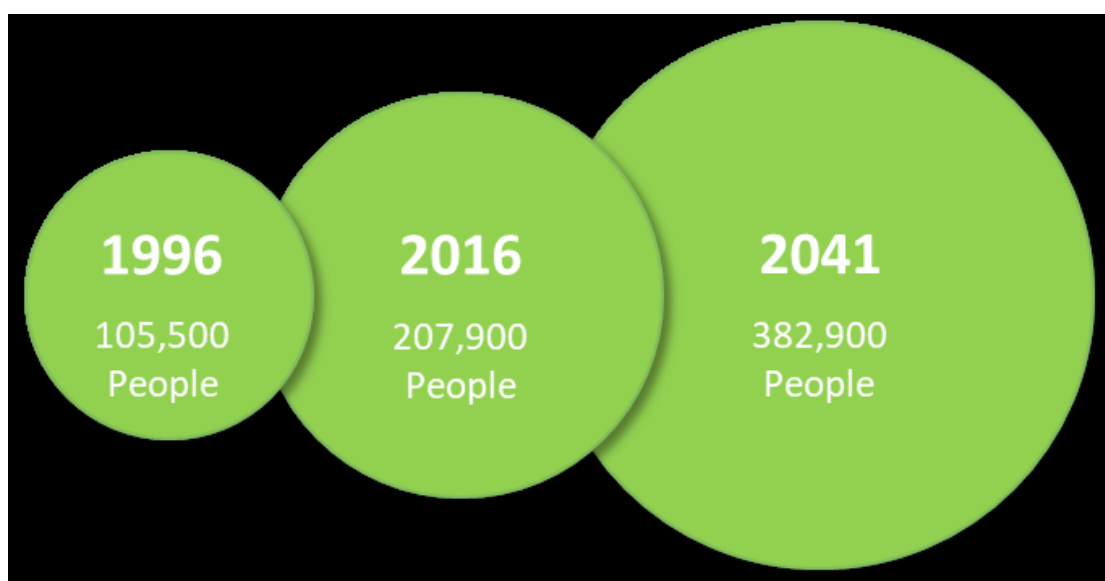
2. Planning Scheme Review 2018

2.1 Municipal context – Now and into the future

The City of Whittlesea is one of Melbourne's largest municipalities, covering a land area of approximately 490 square kilometres located about 20 kilometres north of the city. Whittlesea is the fastest growing area in the north of Melbourne, it is estimated that the population will grow in 2040 by 175,000 people. The number of dwellings is projected to increase by 62,400 in 2041, representing an 87 per cent increase from the 71,800 in Whittlesea in 2016 (SGS, 2018:4).

The population of Whittlesea doubled over the past decade and will nearly double again by 2040 (Figure 3). The 175,000 people increase represents an 84 per cent growth from the 207,900 people in 2016 (SGS, 2018: 5).

While the population is ageing, it will continue to mainly attract a diverse group of younger families moving to outer areas to establish a home. The challenge of rapid population growth will be to address the shortfall in physical and social infrastructure, access to employment and social disconnection.



Source: idcommunity 2017.

Figure 3: Population growth in the City of Whittlesea

The City of Whittlesea is 1 of 31 councils identified as “Australia’s Fast Growing Outer Suburbs” (referred in this report as *FGOS*). In general, compared to the rest of Australia *FGOS* are younger, have significantly more couples with children, more likely to be born overseas and live predominantly in separate dwellings (iD, 2018: 8). Almost 1 in 5 Australians now call the *FGOS* home. These suburbs are growing by around 3.0% per year, well above the Australian rate (1.7%) (NGAA, 2018: 8)

FGOS are in transition, economically as well as demographically. Their populations and their economies are becoming more diverse. Despite the common perception, the *FGOS* are among the largest growing employment areas in Australia, with nine featuring among the top 25 growth LGAs between 2011 and 2016. On average, employment in the *FGOS* has grown by around 2.6% per year, well above the national rate of 1.2% per year and well above Regional Australia (0.4% per year) (NGAA, 2018:1).

The economic role and function of *FGOS* is generally geared toward its large resident base but it also has important export industries such as manufacturing, freight and logistics. An important finding from this analysis is the largely unforeseen increase in the average household size in the *FGOS*. This trend has major implications for the provision of physical and social infrastructure (NGAA, 2018:1).

The socio-economic profile of migrants to *FGOS* regions is also helping drive productivity. They are much younger, bringing new skills and opportunities not previously found in *FGOS*. It has been found that specialised qualifications in Accounting and Business and Management, Health and Engineering predominant in the residents of *FGOS*, these skills support the emerging trend of entrepreneurial businesses in *FGOS* (NGAA, 2018:15).

Research indicates that a growing population will mean Whittlesea will need more education, health, arts and culture services and infrastructure (SGS, 2018:22).

Identified opportunities

Research shows that a partnerships and innovative approaches to delivery of social infrastructure, including co-design, sharing of facilities and technology can make more use of what currently exists to address delivery of services and infrastructure challenges. To ensure Council is delivering and maintaining a high level of service, ongoing monitoring programs help to understand where services are having an impact, and where they may be required in future is also recommended. An undersupply of services and infrastructure will mean the broader community will have lower quality of life and economic opportunities and this will be most felt by those who are less advantaged, creating increasing inequality across Whittlesea (SGS, 2018:22).

Land use changes

The research indicates that in industrial areas, while jobs in the manufacturing sector may decline, the sector will still make an important economic contribution. The sector's land use profile is likely to evolve as manufacturing continues to transition to cleaner, higher tech and less offensive activities. Many industrial areas will attract office activity and services (e.g. hospitality, other recreation activities such as gyms and childcare) to support the local workforce and attract a skilled workforce. These attributes will also support the attraction of modern industrial businesses which require high levels of amenity and access (SGS, 2018: 28).

Councils can provide the infrastructure to support start-ups that can evolve into new sources of employment and global businesses.

The new world of work has removed many of the barriers for people working for themselves. It allows "freelancers" to source their work globally and innovators to create new products. These new work arrangements can be supported by the development of infrastructure to support it:

- co-working locations with high speed internet
- technology and manufacturing makers spaces (where people can design and prototype new products together)
- support for the sharing and cooperative initiatives that bring local value back to local areas and support socially focused industries.

Opportunities to support and advocate for new industries, particularly around renewables and other emerging technologies and increase the skills within the community (both in higher and vocation education). This could be done, in conjunction with neighbouring Councils to support regional employment locations (SGS, 2018: 29).

2.2 Emerging issues for the municipality

Infrastructure provision – the extent and timing of provision

The rapid housing and population growth is outstripping State and Federal government funded infrastructure and service delivery. A growing population will mean Whittlesea will need more education, health, education and arts and culture services and infrastructure. The tightening of infrastructure funding makes it unlikely that the backlog will be filled soon.

This creates two distinct issues for the City of Whittlesea:

- Delivering services to new growth areas populations, in line with the timing of development.
- Responding to the complex demand for services in established parts of the municipalities as the communities evolve.

The Whittlesea community will increasingly require social and community infrastructure. Partnerships and innovative approaches to delivery can help address delivery of services and infrastructure challenges, including sharing of facilities and technology. The City of Whittlesea is actively seeking innovative approaches and early delivery of services and infrastructure to new communities, working in partnerships with the State Government, developers and community organisations.

To respond to the challenges of managing the infrastructure of growth areas, Council engaged ID consulting to map the anticipated development roll out in the growth areas (PSP) in the next 30 years. The purpose is to understand when and where the growth is occurring, when certain infrastructure items are triggered to assist with cash flow analysis, planning and prioritisation of infrastructure delivery. However due to the lack of statutory controls around the sequencing of development and the associated infrastructure, proposals are being received by Council which are out of sequence. This is a growing issue for Council to address. This report recommends Council pro-actively work with the State Government and other Growth Area Councils in responding to these issues.

PSR Recommendation: Council advocate and work with the State Government and other Growth Area Councils in responding to out of sequence development and infrastructure provision.

Access to local employment

The jobs analysis in the iD report suggests that the FGOS traditional economic role and function is transitioning, with several indicators showing early signals of entrepreneurial activity (NGAA, 2018:2).

To successfully transition to the new economy, it has been identified that the fast growing outer suburbs need transformational infrastructure that responds to the high level of existing demand for housing and jobs. Transformational infrastructure includes transport and internet infrastructure as well as economic assets such as education facilities, e.g universities and health care facilities (NGAA, 2018:2). The City of Whittlesea is well placed to transition to the new economy, with an increasing young, educated population base and the location of significant health (Northern Hospital which services northern metropolitan Melbourne and surrounding country areas) and education facilities (RMIT and Melbourne Polytechnic) within the municipality. Fostering the growth of these and their ancillary industries will support economic development and local employment opportunities.

The future trends for employment for the City of Whittlesea include: health and education and supporting industries, construction, although it will likely transition from residential to

commercial activity, blue-collar jobs shifting to trades (that are less likely to be automated) (SGS, 2018: 28).

Recommendations in the SGS report regarding opportunities for the City of Whittlesea:

- In industrial areas, while jobs in manufacturing sector may decline, the sector will still make an important economic contribution. The sector's land use profile is likely to evolve as manufacturing continues to transition to cleaner, higher tech and less offensive activities. Many industrial areas will attract office activity and services (e.g. hospitality, other recreation activities such as gyms and childcare) to support and attract a skilled local workforce. These attributes will also support investment of modern industrial businesses which require high levels of amenity and access (SGS, 2018: 28).
- Retail and hospitality sector provides an opportunity to encourage a mix of uses in activity centres, and to create a diversity of spaces and experiences in centres. The challenge for Greenfield developments is in encouraging traditional Main Street development and the significant role "big box retailing" has in locating in Activity Centres.
- Supporting local events in centres (such as fresh food and other markets, festivals, etc.), providing civic spaces and supporting diversity of site owners help create diverse, investment attractive places, this balanced with the need for larger sites to enable redevelopment will support Activity Centre development. A strong network of centres will support 20 minute walkability and access to jobs and services.
- Activity centres are locations which can, in the long term, support higher order commercial (office) activity. This requires certain preconditions that Council can establish now (e.g. high levels of amenity and space for the centre to grow) acknowledging that may take several decades before the centre is mature enough to support these activities. It is important however that these are established early. Ensuring major institutional activities occur in centres will also signal to the development sector that the major centre will continue to be supported. For example, delivering health, government and institutional uses in centres and in accessible locations is crucial. Direct investment in Activity Centre network planning to support the delivery of 20 minute neighbourhoods will support growth and diversity, encouraging investment in these locations.

PSR Recommendation: Investigate the 20 minute neighbourhood approach to planning schemes to reflect State Planning Policy and improve livability outcomes for the community. An output of this approach may be to develop a Neighbourhood Centres Framework.

New Town Centres

The relative maturity of some of Whittlesea's centres has provided Council an opportunity to review how the current town centres are operating. An internal assessment of Council's new Town Centres have revealed the following key learning's of what is and not working:

What is working?

- Colocation of passive open space for recreation, gathering and local character.
- Colocation of community facilities assists creation of a community hub.
- Range of retail opportunities encourages local businesses and employment.
- Strong tree planting in Main Street improves character and pedestrian experience.
- Integration of existing natural features such as River Red Gums greatly improve sense of place and local identity.
- Built form assists legibility of entries and street enclosure.

What is not working?

- Traffic dominance and poor pedestrian environment.
- Dominance of signage.
- Inactive facades and internal fronting retail limits street activation.
- Servicing and storage areas of supermarket dominate facades.
- Lack of activation and seating to encourage street activity.
- Insufficient mix of uses or local walkable catchment.

PSR Recommendation: Consider developing guidelines for new town centre developments.

Social housing

The affordable housing problem has arisen due to a number of factors. The cost of home ownership has increased such that it has made home ownership almost unattainable; in 2016 the house price reached 11 times the average earnings. In addition to the cost of ownership, the housing stock in the public and social housing sector has not kept up with population growth.

The City of Whittlesea has far fewer social housing households compared to Greater Melbourne (1.3 percent compared to 2.6 percent, respectively). This is despite the fact that our municipality has some of the greatest levels of disadvantage in our state, such as Thomastown and Lalor. The City of Whittlesea has twenty-two per cent of our households within the lowest income range (\$0-38,480) and 23.6 per cent fall within the medium income range (\$38,352 to \$73,632.). As of September 2017 there are 2,573 applicants for social housing on the Victorian Housing Register in north east Melbourne (Whittlesea, Nillumbik, Darebin and Banyule), 49 per cent are priority access applicants. As such the role of Council in supporting the delivery of social housing is critical when considering the housing tenure mix. Council will continue to work with State Government in facilitating social housing in the City of Whittlesea including: voluntary affordable housing agreements, priority development applications for fast tracked planning permits, grant funding for social housing.

Impact of Electronic Gaming Machines

The City of Whittlesea is ranked the 7th highest among Victorian local government areas for poker machine losses. The statistics indicate that \$109.5 million was lost to poker machines (\$299,940 was lost to poker machines each day) in 2017/18 in the City of Whittlesea.

The Victorian Government recently moved to permit a 25 per cent increase in poker machines to reflect population growth in the northern growth areas of our municipality. Council has raised issues with this increase, stating that it does not consider the circumstances of residents in new communities who are often geographically isolated and have severely limited access to local leisure and recreation facilities. This leaves new and rapidly growing communities vulnerable to risk factors associated with gambling. This remains a key area of concern for the City of Whittlesea in our planning and delivery of new communities. The City of Whittlesea was successful in a recent VCAT case: *P2664 (ALH Group Property Holdings Pty Ltd v Whittlesea CC (corrected) 2017 VCAT 2164* (21 December 2017). In this instance, the increase of electronic gaming machines was not supported by VCAT due to the social and economic impacts of the location of the gaming machines causing social and economic harm to the community, and the proposal not resulting in a net community benefit.

With the introduction of VC148 local authorities have opportunities to identify objectives, location guidelines, venue guidelines, application requirements and decision guidelines for gaming. This would provide Council with greater guidance for the preferred location and outcomes regarding Electronic Gaming Machines and an opportunity to identify their position regarding these matters.

PSR Recommendation: Consider updating the schedules to the gaming provisions in the planning scheme to address the health and social impacts of Electronic Gaming Machines (EGMs) for existing and emerging communities.

Protection of native vegetation

The Victorian Government has committed to setting up a 1200ha Grassy Eucalypt Woodland reserve within the City of Whittlesea to protect this endangered native vegetation community.

This will mitigate potential impacts of urban development on these woodlands in the growth corridors.

The Grassy Eucalypt Woodland Reserve will cover an area of land outside the Urban Growth Boundary (UGB) (south Donnybrook Road), with the boundaries yet to be determined. The Biodiversity Conservation Strategy identifies a broad investigation area where the reserve may be located. Specific boundaries have yet to be identified but intended for delivery as part of the Melbourne Strategic Assessment (MSA) program (Biodiversity DELWP 2017).

A large proportion of the region's remaining Grassy Eucalypt Woodland community – both inside and outside the urban growth boundary – is highly degraded. The MSA program, a State Government project, will protect a significant amount of the remaining woodland and manage it to restore its former biodiversity value (Biodiversity DELWP 2017).

Land in the reserve will be secured through voluntary means, including voluntary negotiated purchase by the Crown or voluntary legal agreements (restrictive covenants) under section 69 of the *Conservation Forests and Land Act 1987* (DELWP website).

The Biodiversity Strategy and Action Plan will aim to address the issue of biodiversity loss and fragmentation across the landscape. As a municipality that is facing rapid urbanisation, our local biodiversity is facing considerable pressure from the clearing of vegetation. This removal of habitat forces wildlife to retreat and creates an irreversible loss of local ecosystems. The loss of vegetation simultaneously increases the significance of the remaining habitat in rural areas. Increasing subdivision of rural properties into smaller properties and increased scale and use of roads adds to the fragmentation and loss of remaining habitat and heightens the hazard for wildlife movement through the landscape.

In developing the Biodiversity Strategy and Action Plan Council will:

- Assess biodiversity assets, threats and priorities for action across the municipality,
- Identify priority actions to help protect and improve our biodiversity assets,
- Guide Council's priorities for investment to protect biodiversity in the municipality.

PSR Recommendation: Update the planning scheme to incorporate relevant content and directions from the Biodiversity Strategy and Action Plan, once adopted.
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Agricultural production and growth opportunities

The City of Whittlesea Land Capability Assessment Project (LCA) has identified that bio-physical and climatic conditions are favourable, now and in the future for agricultural productivity in the City of Whittlesea. There are a number of advantages to being in proximity to urban centres, including the availability of workers and opportunities to diversify an income stream with a stable income. This allows farmers to invest in technologies, machinery, and

operations, which result in better resource management, economic output, and efficiency; proximity to markets to sell produce including: the Wholesale Melbourne Market in Epping, local farmer's markets, direct selling, multiple food manufacturers, and regional markets for livestock products (City of Whittlesea, 2018:30).

In the City of Whittlesea, the total agricultural area, agricultural production and the number of agribusinesses have decreased since 2011. However, this has not translated into a decrease in economic output, which grew by \$4.1 million between 2011 and 2016. This indicates that the remaining agribusinesses are successful despite the challenges present. Among neighbouring areas, City of Whittlesea has the lowest percentage of agricultural land lost to other land uses since 2011.

This is particularly important in peri-urban areas since extensive farming is limited by farm size, farm consolidation is much more difficult, due to costs of land as such and land versatility being able to support multiple crops in smaller area is important to increase farm viability (City of Whittlesea, 2018:63).

The City of Whittlesea in conjunction with other partners evaluated the land versatility and identified where land can support multiple agricultural commodities. Land versatility in the City of Whittlesea is likely to be high now and into the future. This opens the possibility for diversification and sustainable intensification. In areas with lower versatility intensification is still possible due to high land capability of crops analysed.

The report found current zoning does not reflect the findings of the LCA. There are opportunities to explore the value in supporting RCZ and Green Wedge A Zone may support agricultural production. Currently, most of the agricultural activity takes place in the Green Wedge. Within the Green Wedge Zone (GWZ), 70 % of total usable land is highly versatile. However, in the Rural Conservation Zone (RCZ) and Green Wedge A Zone (GWAZ), the current planning provisions limit the opportunities to expand farming activities. In RCZ this is because of a focus on conservation despite high agricultural versatility in 65% of RCZ. In GWAZ this is because of land fragmentation which limit larger agricultural production despite high versatility in 87 % of GWAZ (City of Whittlesea, 2018:4)

While urbanisation is the main cause of concern for the loss of versatile agricultural land, lifestyle or hobby farming has recently received attention as potentially locking productive land out of future production. It creates the slippery slope of subdivision with irreversible conversion back to agricultural land. At the same time, the transition towards rural living land-use results in creating a more diverse mix of landholders with different values, property aspirations, and economic circumstances. Hobby small scale farmers can engage in a variety of production systems such as poultry, vegetables, nurseries, and horse agistment. Local Government needs to consider that the type or form of the proposed land-use could be incompatible with or sensitive to agricultural activities in the future. Minimising current and future land-use conflicts between agricultural activities and other sensitive land uses, especially urban development, is essential when encouraging investment, sustainable intensification, or expansion of agricultural activities (City of Whittlesea, 2018: 64).

The food movement is defining a new role of agriculture in the context of climate change and resilience. It recognises that food production is *“arguably the highest policy priority on today’s global political agenda, in recognition of its widespread impacts on food security, employment, climate change, human health, and environmental degradation”* (Alexander Müller, study leader of The Economics of Ecosystems and Biodiversity in Agriculture and Food).

The LCA report identifies other opportunities for the City of Whittlesea’s rural areas:

- Harnessing storm water and waste water generated on the urban fringe for agriculture.
- Leverage the high demand from farmers for recycled water.
- Strengthen government investment in recycled water for agriculture.
- To increase support for farmers to sell directly to the public, including supporting agritourism experiences. An assessment of export opportunities including transport and air freight access.

PSR Recommendation: Investigate opportunities to respond to and implement the outcomes of the Land Capability Assessment Project, including the review of the zones to support agricultural activity.

Importation of fill

Unprecedented amounts of construction and development in urban areas means that the huge quantities of earthen material being removed have to be put somewhere, creating a market. Soil removal contractors are actively recruiting landowners in the Green Wedge to allow the depositing of ‘clean fill’ on their properties. This is highly profitable for both parties and poorly regulated to date.

There are obvious environmental, economic and amenity concerns for Council. Following changes to the planning provisions in 2014, the tools in the planning scheme to regulate this activity were reduced. The permit trigger is now performance oriented around drainage/groundwater, provided that the landowner is able to claim the use is related to agriculture. Specifically, a planning permit is triggered by:

- Earthworks which change the rate of flow or the discharge point of water across a property boundary.
- Earthworks which increase the discharge of saline groundwater.

Agriculture is a Section 1 use in the zone, which allows for importation of fill on rural properties. However, planning permission is required for specific earthworks/importation of fill.

There is a lack of direction regarding the level of evidence required to determine whether a permit is triggered. Landholders can proceed on the basis that there is an agricultural purpose, with Council resorting to monitoring the activity and stopping works when they have clearly moved beyond the stated purpose.

Council could consider planning scheme changes as an option, alternatively it may also be possible to work with the current triggers by being better informed and proactive in the planning/planning enforcement areas (see below).

Planning Scheme Amendment

Hume and Yarra Ranges have each amended the rural zone schedules in relation to earthworks, with mixed results. There is an advantage in having the opportunity to regulate the earthworks activity and Hume has been more successful in its approach than Yarra Ranges. However, DELWP are not supportive of other Councils emulating the Hume amendment.

Internal assessment model

Utilise LiDAR 2018 to:

- Enable modelling / analysis of specific sites that are seeking a planning permit and/or sites suspected of illegally dumping. The analysis would help Council form make an informed, defensible and timely decision on whether or not soil dumping on the identified sites would have the potential to change the rate of flow across a property boundary.
- Design a tool/process for Council officers to obtain modelling of the impact based on proposed volume of fill and its location in the context of the local watershed. It would provide a means to proactively engage with landholders making enquiries about the practice. At the moment, the perception is that Council has no grounds to require technical information from landholders. The tool should allow Council officers to estimate the outcome, so that their approach is proportionate to the potential damage.
- Identify areas in the rural/green wedge areas of the municipality that are high risk that could be more closely monitored, and inform the criteria / identification of key attributes that Council can use to provide guidance.

Non-planning scheme tools

- The information above and the hydrological modelling expertise that we have in Council at the moment could inform a list of requirements to inform pre-application enquiries, landholder education (Council website/rural news), and earthmoving contractors that are active in this area. For example, soil analysis and origin, site layout plan with sufficient detail to identify the specific locations and depth of the proposed soil filling, technical reports (stormwater management, compaction detail), ultimate rehabilitation. The land contamination risks are also a possible issue for Council as the Responsible Authority. Where soil dumping is proposed, there are EPA

recommendations for soil testing that must be applied before Council supports applications to import and place soil.

- Where a planning permit is triggered and supported, recommended planning permit conditions to ensure the activity is managed and the rehabilitation is completed.
- a letter of advocacy to DELWP to change state provisions to address the issue (land use term/particular provision).

Climate Change

Council has adopted a *Climate Ready Whittlesea* report in November 2017. This report identifies that planning can respond to climate change through a number of initiatives, including: protecting and connecting the natural environment so that plants and animals can adapt to changed climates, support and encourage renewable energy, support and encourage walkable catchments in planning which reduces the use of fossil fuels in transport, and encourage carbon sequestering (through tree planting), planning for physical environments to be adaptable to predicted changes to the climate and the impact on natural hazards. Many of these techniques and considerations are incorporated into Council's current approach. *Climate Ready Whittlesea* identified some specific opportunities for Council action, including some planning related responses including developing an environmentally sustainable development (ESD) local policy and urban heat island mitigation. An ESD policy was adopted by Council and subsequently gazetted in 2018.

The transition to renewables has the potential to create new industries and work in Whittlesea. The technological skills developed in economies that embrace renewable energy have been shown to be transferable to a range of new industries.

The Strategic Planning and Economic Development Department will continue to monitor how the planning scheme can assist in supporting adaptive processes and responses to predicted climate change scenarios.

Smart technology

Smart cities are a term broadly used to describe the proliferation of computers and networked sensors being integrated into the built environment. This technology generates huge amounts of data allowing real-time insights into the city. This data can be utilised to facilitate more efficient means of service delivery.

Smart technology can facilitate the following:

- Smart services such as parking management, environmental monitoring (pollution, water levels, water quality), bike sharing, on-demand transport services, intelligent public transport systems.
- Reduce energy and costs through intelligent lighting, efficient waste collection or smart water metering.

- Support the city's economic development by expanding infrastructures to enable more smart services and solutions.

There is an opportunity for planning, particularly in the growth areas, to facilitate smart technology infrastructure in the public realm (roads, footpaths, power poles, parks and gardens) thereby utilising technology to benefit the urban environment. In the established areas of the municipality, the planning system has less capacity to influence or facilitate these outcomes other than where master planning opportunities arise.

The Strategic Planning and Economic Development Department will continue to monitor the needs of smart technology and possible influence of the planning scheme in facilitating these new technologies.

2.3 Key Council Corporate Documents

The following is a review of key corporate documents adopted since the last review.

Whittlesea 2040: A place for all

Whittlesea 2040 was a Council initiative in 2018 that involved working closely with the community to determine their aspirations and key priorities for the municipality and develop the new vision *Whittlesea 2040: A place for all*.

There are four goals to this vision, each with key directions to guide Council's work and partnerships with the community and others.

Goal 1 - Connected community

Key Directions:

- A socially cohesive community
- A healthy and safe community
- A participating community

Goal 2 - Liveable neighbourhoods

Key Directions:

- Well-designed neighbourhoods and vibrant town centres
- Housing for diverse needs
- Smart, connected transport network

Goal 3 - Strong local economy

Key Directions:

- Increase local employment
- Education opportunities for all
- Successful, innovative local businesses

Goal 4 - Sustainable environment

Key Directions:

- Valued natural landscapes and biodiversity
- Climate ready
- Leaders in clean, sustainable living.

These goals and key directions will underpin Council's work and partnerships with the community and others.

Council Plan 2017-2021 Update 2019

The Council Plan 2017-2021 has been updated to align the Council Plan to the newly adopted Whittlesea 2040 vision. The Council Plan sets out a four year horizon for the priorities of the municipality. Each year a new Action Plan is prepared which lists the key strategies that Council will undertake to specifically address the needs of our community and achieve the goals and key directions of W2040.

The Council Action Plan 2019 identifies a range of major initiatives which it will undertake to achieve the W2040 vision. The following reflect those major initiatives which have a land use planning element and are relevant to the WPS:

Goal 1 - Connected community

1.1 A socially cohesive community

- Early activation of the growth corridor – work closely with developers, state government and emerging communities for better service access, participation and social connection.

1.2 A healthy and safe community

- Improving community safety and preventing violence against women – invest into community safety, crime prevention, gender equality and prevention of violence against women/family violence.

Goal 2 - Liveable neighbourhoods

2.1 Smart, connected transport network

- Cycling and walking – continue to improve the local shared path network including Hendersons Creek Trail and McDonalds Road shared path, and advocate for further external funding.

2.2 Well-designed neighbourhoods and vibrant town centres

- Rejuvenating neighbourhoods in established areas – invest in the modern appearance and amenity of our suburbs.
- Improve established town centres – make retail and activity centres more attractive, particularly through traffic management and street scaping.
- Improve protection of historic dry-stone walls – use technology and planning tools so developers can protect and incorporate these important heritage features more effectively into our landscape and neighbourhoods.

2.3 Housing for diverse needs

- Delivering social housing in growth areas partnership project – partner with developers and housing associations across Whittlesea, Mitchell and Hume to increase supply of social housing.

Goal 3 - Strong local economy

3.1 Increased local employment

- Council provides ongoing services and programs to attract investment and support local businesses.

Goal 4 - Sustainable environment

4.1 Valued natural landscapes and biodiversity

- Council is finalising the Biodiversity Strategy and Action Plan to solidify key future initiatives to protect and grow appreciation of our local natural environment.

4.2 Climate ready

- Greening Whittlesea Urban Forest Plan – plant more trees and grow community ownership of our local trees to adapt to climate change and build resilience.
- Integrated Water Management Strategy and Action Plan – secure safe and affordable water supply, prepare for droughts and mitigate against stormwater risks.

Municipal Health and Well-being Plan 2017-2021

The data analysis undertaken to inform the development of the Municipal Health and Well-being Plan included both physical and mental health, and chronic disease risk factors. In terms of land use planning, the Plan makes the following statements:

- Ensure that future Strategic or Capital Works projects contribute to the creation of safe, connected, liveable and community focused environments.
- Town centre and neighbourhood design reflects their important role as the social focus of communities.
- Undertake a feasibility study regarding the establishment of an Aboriginal Gathering Place. The feasibility study will explore potential sites, models of delivery and management, benefits including health impacts, community outcomes and budget.
- Undertake alcohol related harms data monitored and analysed to inform planning and liquor licensing decisions.
- Undertake scoping to inform the development of a local Food Security Policy and Partnership Plan that outlines Council and other stakeholders' role in relation to food access, supply and use.

The current Whittlesea Planning Scheme aligns with W2040, Council Plan 2017-2021 and the Municipal Health and Well-being Plan 2017-2021. The recommendations contained within this report will further support these corporate documents.

2.4 Key State Planning Policies and strategies

Plan Melbourne

Plan Melbourne is Melbourne's Metropolitan Strategy. A number of the key directions in Plan Melbourne impact the City of Whittlesea including:

- La Trobe National Employment and Innovation clusters;
- Metropolitan Activity Centres: Epping and Lockyerbie;

- State Significant Industrial Precincts – Northern Industrial Precinct;
- Health and Education Precinct;
- University Hill (including RMIT Bundoora campus);
- Protection of agricultural land and support for agricultural production;
- Identification and protection of extractive resources;
- Structure planning for neighbourhood activity centres to deliver 20 minute neighbourhoods;
- Encouragement of the design of neighbourhoods to enable walking and cycling and the early provision of active open space and sports fields.

Under Plan Melbourne Direction 4.1.1 there is a focus on supporting a network of Neighbourhood Centres and a focus on 20 minute neighbourhoods, specifically Plan Melbourne states: “Planning neighbourhood centres that maintain their “village” character and feel, while enabling a mix of goods and services, is a key role for local governments working with their communities.” This approach reflects council’s vision and Council Plan and is consistent with feedback received from the W2040 community consultation, in that the community loves their local shops, shopping complexes, variety of social dining options, local businesses, services and opportunities to work locally. The network of activity centres contribute to achieving Council’s vision for “sustainable neighbourhoods” daily, weekly shopping needs.

PSR Recommendation: Investigate the 20 minute neighbourhood model for the municipality to reflect state planning policy and improve livability outcomes for the community. An output of this approach may be to develop a Neighbourhood Centres Framework.

Biodiversity 2037

Biodiversity 2037 (DELWP) is Victoria’s strategy to stop the decline of the State’s biodiversity assets and improve the State’s biodiversity values. The strategy is supported by the *Biodiversity 2037 Implementation Framework*. The detailed investigations as part of Biodiversity Action Plan may provide opportunities to further implement *Biodiversity 2037*.

The Grassy Eucalypt Woodland Reserve (which is located in the City of Whittlesea) is identified as an investigation area for future protection due to the endangered status of the vegetation community. The importance of these areas are known to Council and are currently covered by ESO1 and ESO5, however opportunities to secure the protection of 1200ha of the Grassy Eucalypt Woodland Reserve may be further investigated.

PSR Recommendation: Update the MPS to identify the Grassy Eucalypt Woodland Investigation Area and flag its biodiversity significance in the Whittlesea Planning Scheme. Investigate opportunities for further policy support for securing the protection of the Grassy Eucalypt Woodland Reserve.

Victoria's 30 Year Infrastructure Strategy

The State Government released its first 30 year infrastructure strategy in 2016 which covers all types of infrastructure, including the role of SMART technology and autonomous vehicles.

Autonomous vehicles (AV)

The emergence of automated and zero emissions vehicles will affect the whole of Victoria in a more profound way than any one major project affecting a particular part of the network. Victoria's economy is forecast to perform 2% better in 2046 in the fully automated vehicle scenarios than in the base case. The value of this benefit is projected to be worth \$14.9 billion in 2046, and will increase over time in line with economic growth. Consumers are also projected to benefit from lower costs for automated and zero emissions vehicles, with the average Victorian who travels 15,000 kilometres saving 13–30% if they owned their own vehicle, with an additional 40% benefit for those who use shared fleet services instead of owning their own car.

The benefits of AVs regarding mobility, accessibility and equity needs to be balanced against sound planning principles and urban design outcomes that cities are aiming to achieve. AV may potentially increase the number of vehicles on the road at all times of the day leading to worsening congestion, dead running of vehicles, perhaps less walking and cycling - particularly in lower density areas. On-demand transport services has the potential to eliminate transport disadvantage but also the potential to increase congestion, place greater demand on kerbside space for drop-off and pick-up and therefore negative impacts on people using the public realm. Management and regulation of AVs and on-demand services will need to be addressed to suit our preferred planning outcomes.

Council officers attended workshops with Infrastructure Victoria regarding AVs and the potential impact these may have for transport network planning. At this point in time, it was agreed that Council would continue to monitor the initiatives being explored for AVs in terms of future land use implications and opportunities.

Road Network Efficiencies

Regardless of the scenario, autonomous vehicles are predicted to increase the effective capacity of Victoria's roads. Even some automated vehicles mixed in with non-automated vehicles will reduce congestion. The modelling shows us that in the Slow Lane scenario, in which over half of the vehicle fleet are non-automated, average speeds are much higher than in the base case (39%), and average delays are much lower (75%). In the fully automated on-demand scenario of Fleet Street, average speeds are 17 kilometres per hour higher, a 54% increase, while average delays are reduced by 32 seconds per kilometre (a 90% reduction).

Public Transport Demand Increasing

All scenarios have much higher levels of public transport use across all modes than today. Even the scenario with the lowest usage (Private Drive) has more than double today's public transport patronage, and the scenario with the highest usage (Fleet Street) has over four times today's patronage. Regardless of scenario, public transport is likely to remain a vital part of Victoria's transport mix in the future.

Infrastructure Requirements

Physical and digital road infrastructure will need to adapt to a future with automated and zero emissions vehicles, though the specific changes to be made are still uncertain at this stage of development of the technology. There is little evidence at the moment to suggest that physical road assets need to be changed to accommodate automated vehicles (such as road strengths, road design approach, bridge strengths or barrier design), other than keeping current roads in good condition, standardising approaches to road works and ensuring lines and signs are able to be read by automated vehicles.

Urban Design Implications

Potentially streetscapes could be re-designed as AVs would require less road space therefore streets that have multiple lanes for traffic could be reduced and space used for other modes. AVs are predicted to reduce accidents so streets are expected to be safer for all road users. Also, car parking could be greatly reduced if AVs are shared and on-demand, meaning re-using space currently dedicated for car parking.

Electricity Consumption and Demand

Total consumption of electricity is projected to be between 23% and 56% higher in all battery electric vehicle scenarios. Electricity demand, and therefore cost, is highest where vehicles are privately owned and there is no mechanism to influence charging behaviour, such as an incentive to charge at off-peak times. Taking steps to influence charging behaviours, for example through price incentives or controlled charging, could mitigate the amount of additional investment required and provide cost savings to Victorian consumers.

Accessibility Benefits

AVs have the potential to deliver significant accessibility benefits to individuals currently unable to operate a vehicle, such as Victorians with mobility impairment or the elderly. If 50% of the people in these cohorts at risk of social exclusion benefit from the emergence of automated vehicles, the potential value of automated vehicles to this group of people alone could be \$6–7 million.

Health and Emissions Benefits

AV and zero emissions vehicles are also projected to substantially reduce adverse health outcomes from exposure to pollutants harmful to human health. Similarly, the potential reduction in greenhouse gas exhaust emissions, estimated to be up to 27 million tonnes CO₂ equivalent, would make a large contribution towards meeting Victoria's overall greenhouse gas emissions targets.

2.5 Current Reforms - Smart Planning

As part of the Victorian government's *Smart Planning* program, changes were introduced to the structure and operation of the Victoria Planning Provisions (VPP) on the 31 July 2018 (VC148).

The reforms delete the State Planning Policy Framework (SPPF) and replace it with a new Planning Policy Framework (PPF) which aims to integrate local planning policies with the relevant state and regional (if applicable) policies (i.e. Clause 10-19 of the VPP) to improve the usability of planning schemes. The PPF reform also introduce a new component into the Planning Scheme; a *Municipal Planning Strategy* (MPS) which will essentially replace the function of a MSS. The MPS is intended to identify the overarching strategic planning directions of a municipality.

Policy neutral translation

All Planning Schemes need to transition to the new PPF. This involves translating the Local Planning Policy Framework (LPPF) into the new PPF structure, which will be guided by the *LPPF translation manual* (DELWP, September 2018). The PPF translation will be 'policy neutral' which will enable the Planning Scheme to be amended via a streamlined Ministerial amendment process, thereby minimising the transition process. Policy neutral means that while the location of Council's content in the MSS and LPPF will be changing, the intent of Council's existing planning policy will be retained. In some instances, content may be deleted where it is deemed that the content duplicates existing state or regional policy.

In light of Council having recently updated its MSS via Amendment C197 in 2017, the City of Whittlesea has been included in the first group of Councils to undergo the PPF translation. The policy translation is being coordinated by DELWP, in consultation with Council Officers and is anticipated that it will be completed by mid-2019. Given this is a policy neutral translation, it is anticipated that once it has been completed, the new MPS and PPF may need to be reviewed further to address any gaps or opportunities identified to adequately reflect Council's vision, strategies or policies. This would need to be done via a separate planning scheme amendment.

PSR Recommendation: Review and update the MPS and PPF to address any gaps or issues identified, following the PPF translation of the WPS in 2019.
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2.6 Thematic review of key Council strategies

This section of the report provides a summary of selected Council adopted strategies and documents adopted since the last planning scheme review, which have land use planning relevant content.

Theme 1 – Environment

Open Space Strategy 2016

This Strategy guides the future design and management of public open space in the established areas of the City of Whittlesea. It documents and addresses the open space needs of the existing community and forecasted population.

The Strategy contains the following content that could be included in the MPS:

- To continue to protect and enhance the closed drinking water supply catchment areas of Yan Yean Reservoir and Kinglake National Park. While the catchment areas are unavailable for the public to visit, they significantly contribute to the biodiversity values.
- The landscape values of the municipality to provide an essential service being a major part of the potable water supply for metropolitan Melbourne.
- The biodiversity, attributes of Craigieburn Grasslands Nature Conservation Reserve, Plenty Gorge Park and Kinglake National Park in providing habitat for fauna and flora of National and State significance.
- The remnant River Red Gums contributing to a unique environmental and landscape character and quality to the open space reserves.
- The significant open space corridors protecting and supporting biodiversity with the potential to integrate improved recreational access and connectivity. The major waterways including the Plenty River and a large proportion of its upper catchment, the whole of the upper catchment of Darebin Creek and significant reach of the Merri Creek.
- The diverse topography extending from the relatively flat volcanic plains with the remnant River Red Gum Woodland through to the Great Dividing Range in the North. Quarry Hills and the future Quarry Hills Park will provide significant green space for the future community.
- The following four major community parks in the established urban areas to function as destination community parks, including: Norris Bank Reserve, Quarry Hills Regional Parkland, Whittlesea Public Gardens and Mill Park Recreation Reserve.

PSR Recommendation: Update the planning scheme to incorporate and map relevant content from the Open Space Strategy into the MPS.

Street Tree Management Plan 2016 – Greening Our Streets

The purpose of the street tree management plan is to:

- enhance the community's sense of place through the provision of attractive tree lined streets.
- ensure safe and functional streetscapes through the implementation of best practice street tree management.
- ensure social equity through the equitable delivery of the street tree planting programs across all suburbs.
- retain street trees through appropriate management.
- improve the liveability of suburbs by working together across Council, with the community and developers to ensure street trees are adaptable to future changes in climate and maximise the benefits of street trees to the community.
- achieve a minimum canopy cover of 30% across the urban streetscape.
- ensure all urban streets within the City will be lined with uniform tree planting within 10 years. Improving the diversity of our street trees, with no individual species or age of tree being over represented.

Amendment C200 which implements the Council's Housing Diversity Strategy and was approved in April 2019 (awaiting gazettal in May), introduces a local planning policy and residential zone schedules for multi-unit developments.. The schedules include preferred character objectives such as space allocation for canopy trees and changes to rear setbacks and the size of private open space so as to provide sufficient space for the trees.

Climate Ready Whittlesea – Climate change adaptation plan 2017

The Climate Ready Whittlesea – Climate change adaptation plan was adopted November 2017. The plan was developed to ensure that the City of Whittlesea is undertaking the necessary actions to ensure our organisation is adapting to the ongoing changes in our climate. Its focus is on the organisation and making sure that our services and assets are taking into consideration the latest science so that we can build a vibrant and resilient city.

It looks at the current adaptation activities that Council is undertaking in regard to extreme temperatures, rainfall, drought, storms, flood and fire. It also looks at the opportunities and challenges facing Council which has informed an adaptation plan.

The actions identified that have a land use planning element include:

- Identify the key sensitivities and adaptive capacity of the Whittlesea community and develop a heat vulnerability map for the City of Whittlesea.
- Develop and introduce an environmentally sustainable development (ESD) local planning policy into the WPS to improve the thermal capacity of some housing stock (to help reduce heat related illness).
- Focus activities on protecting core habitat patches and refuges along waterways.
- Consider climate change effects on habitat in the preparation of the Biodiversity Strategy and Action Plan.

In measuring heat vulnerability, tree canopy coverage was identified as an indicator for long term action taken by Council to reduce the impact of rising temperatures. The increasing tree canopy coverage has been identified as one of the most cost efficient and effective strategies for reducing the urban heat island effect, thus reducing the local impacts of heat in our environments. Increasing tree numbers within Whittlesea, over and above standard planting programs, will increase carbon sequestration and thus contribute to reducing carbon emissions.

It was identified that the provision of better quality housing has a significant impact on environmentally related health issues. The inclusion of ESD provisions in the planning scheme will help to increase the thermal comfort of dwellings.

Climate change will also impact natural ecosystems and biodiversity although the extent of any impacts is difficult to predict. It is likely to exacerbate the existing threats, as well as introducing new threats into the system. To address this issue, further work has been identified to protect core habitat and to consider climate change effects in the preparation of the Biodiversity Strategy and Action Plan, due for adoption in June 2019.

Some of these actions have already been implemented into the WPS. Amendment C200 (discussed above) introduces a local planning policy and residential zone schedules that provide for canopy trees in multi-unit developments. While GC110 which introduced a local ESD policy was gazetted in October 2018. Actions related to the implementation of the Biodiversity Strategy and Action Plan will be reviewed following its adoption by Council.

Theme 2 – Economic

Economic Development Strategy 2017

The Strategy outlines Council's vision to attract 10,000 new jobs to the City of Whittlesea over the next five years. This is an ambitious vision focusses on helping to sustain and grow local jobs.

To achieve this vision, Council has set 20 goals underpinned by the following five key directions:

- Strive to build a healthy, prosperous and resilient community
- Foster an environment that encourages the development of a vibrant local economy
- Capitalise on the city's human, natural and built resources to maximise local employment
- Promote the municipality as an attractive destination to invest and work in, visit and enjoy
- Collaborate with community, businesses and government to deliver resources and opportunities.

Supporting and growing our existing businesses, small and large, and attracting new jobs for our growing population is critical to improve the prosperity and liveability of our local community. It is recognised that achieving this vision will require coordinated action across Council and encouragement from the broader community including businesses, investors, developers, other levels of government and regional partners, to work together to achieve economic growth.

Some of the goals outlined in the Strategy which are relevant to land use planning and the planning scheme include:

- a) facilitating the establishment of a business incubator or co-working spaces;
- b) attracting investment to Epping Central underpinned by a clear and integrated masterplan;
- c) protecting rural land from urban growth;
- d) supporting the agribusiness sector;
- e) positioning our city as a critical player in establishing Melbourne's north as a nationally significant food hub;
- f) support our local food manufacturers to increase their profile and export rates nationally and internationally;
- g) strengthen and promote our visitor economy.

To support the development of business shared space / co-working locations Council is investigating the option of unused industrial sites that may cater for "maker spaces"/creative industries. The Strategy identifies that opportunities exist for Council to consider supporting new industries and start-ups particularly around emerging technologies such as renewables that can evolve into new sources of employment and global businesses.

The State Governments introduction of the new Commercial 3 zones supports these “enterprise land uses” and may be an appropriate zone to apply for new enterprise areas or underutilised land which buffer sensitive uses and activity centres. Further assessment of the future needs of business/commercial employers in the City will be informed by the ongoing collection of CLUE data (Census of Land Use and Employment). CLUE data was first collected in 2015, with the second collection due to commence in May 2019. In future, the CLUE collection will be conducted every two years.

Arts Development Strategy 2016-2020

The Strategy provides key directions which may be useful for the MPS, including:

- Utilise public art to enhance public spaces.
- Utilise creative design of the public realm to reflect the cultural diversity of the City of Whittlesea.
- Develop public spaces which support creative use.
- Encourage the design of public buildings, spaces and Council assets to reflect our rich cultural and historical landscape and particularly our Aboriginal and culturally diverse communities.
- Support the development of the Cultural Bridges Intercultural Centre in South Morang.

The current MSS supports the utilisation of public art to enhance public spaces. Once the location of the Cultural Bridges Intercultural Centre is finalised, this could be identified in the MPS.

Thomastown Industrial Area Plan 2018-2038

The Thomastown Industrial Area Plan was adopted in 2018. It identified that Thomastown had a high proportion of functioning businesses and comparably low vacancy rate for existing buildings (5.7%) across the wider industrial area (industrial precincts typically averages 6% to 12%).

The Plan identified opportunities in improving the economic opportunities in the municipality, including utilising the locational and infrastructure advantages. The Plan identifies that the increased global competition and industry restructuring has provided opportunities outside the traditional manufacturing sector and a more diverse growth in industries has occurred. The Plan states that there are opportunities available for a variety of businesses with a range of sites and building formats, together with good separation from sensitive land uses via main road boundaries. It notes where businesses of the same product/industry have been clustered together; it has provided agglomeration advantages for business operators. Large developers have been attracted to invest in new and higher quality

industrial estates in some locations, improving amenity and increasing business and employment activity in the area.

The low vacancy rates in Thomastown illustrates that the area is performing well, with the Plan identifying future options for improving the public/streetscape amenity.

Theme 3 –Social

Community Building Strategy

The Strategy recognises that community building actively fosters strong, resilient and connected communities, amplifies local community voices, and enhances the capacity of communities and individuals to achieve their goals. A community building approach requires people, groups and organisations to work together to build connections, understanding and confidence. This enables shared identities and aspirations to emerge and builds a sense of collective responsibility for community wellbeing.

The Community Building Strategy several key principles, of which the following have some relevance to the planning scheme:

- Equity, access and inclusion - we support the development of a safe and inclusive community, and promote respect for diverse values, abilities, beliefs, cultural practices and ways of living.
- A place-based approach - we have a place based approach to planning, service delivery, engagement and advocacy that is inclusive and equitable in its response to local community needs and aspirations.
- Adopt a place-based approach to all of Council's work.

Community Safety and Crime Prevention Principles

The objectives for *Community Safety and Crime Prevention* aim to influence change in social conditions that influence offending, including social and economic drivers, strengthening community and social connection, improving education and employment opportunities; implementation of strategies aimed at preventing racism.

Council aims to support a built environment which is safe, welcoming and promotes community connection. A key theme identified in the community safety and crime prevention is "Safety in the built environment, parks and public space". CPTED principles are identified in the MSS of the WPS and integral to open space/parks design.

Disability Action Plan 2017

The Disability Action Plan identifies the need to encourage greater housing options for people living in the City of Whittlesea with a disability including the need to: encourage a range of affordable, accessible and adaptive housing in the municipality. The Plan also identifies the need to support accessible crisis/emergency accommodation and/or family violence refuges.

Amendment C200 (discussed previously) introduces a local planning policy and residential zone schedules. The policy seeks to improve accessibility and adaptable outcomes of multi-unit developments.

Health and Wellbeing Partnership Plan 2017-2021

The Plan was adopted in 2018 and aims to ensure that future strategic or capital works projects contribute to the creation of safe, connected, liveable and community focused environments. It highlighted that town centre and neighbourhood design reflects their important role as the social focus of communities providing places for people of all ages to meet, a community hub, and a focus for local identity and civic pride. An action from the Plan includes undertaking a feasibility study regarding the establishment of an Aboriginal Gathering Place.

Preventing Alcohol Related Harm Policy 2016.

This Policy includes the following key direction includes: assessing the potential social impacts of alcohol, reviewing and pilot planning tools to assist planning officers to analyse and determine applications for licensed premises and strengthen collaborative processes for Liquor Licence assessment and utilise local data for Social Impact Assessment (SIA), including location, proximity to sensitive land use, size, opening hours, SEIFA, potential social impacts and focus on packaged liquor licences. The policy identifies the need to collect, monitor and analyse alcohol related harms data to inform planning and liquor licencing decisions, this work is currently being undertaken and will inform future actions for Council.

Adoption of Precinct Structure Plans

A significant number of PSPs were gazetted into the Planning Scheme, subsequent to the last planning scheme review; as such the current MSS makes no reference to these significant growth fronts for the City of Whittlesea. This is a significant oversight in the current draft PPF which will need to be addressed.

PSR Recommendation: Incorporate details of recently gazetted PSP's into the PPF, as appropriate
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Theme 4 - Transport

Travel in our municipality is framed by 3 north-south corridors: Plenty Valley corridor, Epping Road/High Street corridor and Yan Yean Road corridor. The capacity of these 3 corridors fall short of accommodating our current population at peak travel periods. Growth in the Epping North/Wollert and Mernda/Doreen areas will result in significantly more congestion along these corridors.

Recent Victorian Government commitments to the Mernda Rail Extension and the O'Herns Road interchange (with Federal Government assistance) will improve our transport network, although further infrastructure is required.

High levels of population growth are projected to continue, particularly in the north of the municipality. The challenge for growth areas is to match this rate of development with appropriate infrastructure. As job creation is likely to be slower than population growth, highlighting the need to address transport capacity issues in line with population growth is necessary to support access to employment. During morning and evening peak times, journey to work trips stretch the capability of the network in both growth and established areas with congestion highest along Cooper Street and the Epping Road/High Street corridor.

Currently, employment in the municipality is concentrated in the Cooper Street employment area in Epping (near the Hume Freeway), in Epping Central and South Morang and in the Thomastown industrial area adjacent to the Metropolitan Ring Road. Most existing jobs generated are from small businesses, with 25% of all businesses involved in manufacturing. The growth of local employment is key to addressing traffic congestion within the City.

Road and Public Transport Plan 2017

The Plan identifies improved road networks (including upgrades from rural to urban roads); improved links to local destinations; links to arterial road network; intersection upgrades, including train station parking; Wollert public transport corridor; improved bus network to support mass transit to jobs; focus on Activity Centre accessibility, Epping North and Wollert bus services and identified cycling routes.

Road Safety Strategy 2017

The strategy identifies the following actions to improve safety of all road and path users: reviewing road space allocation, addressing “trouble spots”, road trauma of pedestrians, prioritising the design of roads and intersections, and identify actions to facilitate behaviour change to enhance road safety. In terms of behaviour change this includes: facilitating appropriate speeds, recognising pedestrians, cyclists and motorcyclists as legitimate road users, providing mode separation where possible, creating an action matrix which identifies behaviour change initiatives, undertaking road upgrades that consider future vehicle needs, designing new roads with future technology in mind and retrofitting existing infrastructure.

Whittlesea Bicycle Plan 2016-2020

Council is committed to adopting cycling as a viable transport mode for a wide variety of trips, ensuring that the municipality is a great place to ride and residents have made the decision to ride more often.

The Plan identifies the need for cycling networks which support appropriate distance to destinations. Cycling trips out of the municipality are less attractive as activity centres in neighbouring municipalities are often beyond a reasonable cycling distance for active travel and to jobs. Industrial land uses and waterways along the boundary of the municipality limit cycling connectivity between residential areas of the City of Whittlesea and those of adjoining municipalities.

Despite the expansion of bicycle facilities in the City of Whittlesea, routes often lack connectivity. There is strong recognition from the local cycling community that the best way to encourage more active travel is to provide better connections to schools, public transport, shops and parks. This includes not only more paths and lanes but also includes signs highlighting bicycle routes, improved crossing facilities and end-of-trip facilities.

PSR Recommendation: Map the various multi-modal networks and associated infrastructure in the MPS.

2.7 Current strategic projects

Review of Epping Structure Plan

The Epping Central Structure Plan review project is the five year strategic review of the document and associated planning controls.

The Structure Plan was completed in 2011 and was the result of extensive background work and consultation. The plan was amended in 2013 as part of its implementation into the Whittlesea Planning Scheme via Amendment C130 which was finally approved in March 2015. The plan is fundamental in assisting Epping Central realise its potential as a Metropolitan Activity Centre and implements the vision of Whittlesea 2040. The vision of the plan is consistent with the goals contained within Whittlesea 2040.

In 2017, a review was undertaken in respect to the current state of Epping Central Activity Centre and the strategic and statutory framework which applies to it. The review identified a number of key issues which are required to be resolved to enable the centre to realise its vision and potential.

Plenty Valley Structure Plan

The Structure Plan provides a coordinated plan to guide the development and investment in the Plenty Valley Town Centre for the next 20 years. The plan identifies the strategies and actions to be implemented to realise the vision for an attractive, accessible and vibrant Town Centre. IT is currently subject to a planning scheme amendment, C204.

Thomastown-Lalor Structure Plan

The townships of Thomastown and Lalor are identified as Neighbourhood Activity Centres in the Whittlesea Planning Scheme. Structure Plans must be prepared for Principal and Major Activity Centres and can be prepared for Neighbourhood Activity Centres where there is a demonstrated need. A Master plan has been prepared for the Thomastown High Street shops and the Lalor shops but mainly focussing on streetscape and public realm improvements. There is a need to look at the overall design and fabric of the two towns and to introduce developer contributions.

The Master Plan identified the need for additional strategic work to be undertaken in the broader locality, to guide the use of land and built form over 20 years. The Master Plan recommended that a Structure Plan be completed in 1-2 years to address the issues that were

not addressed in the Master Plan for example zoning and use of land, activation, safety and wellbeing, transport, community infrastructure, sustainability and design and built form. This work is currently underway.

Housing

The Housing Diversity Strategy (HDS) was adopted in 2013. The Strategy sought to improve the quality, design and range of housing typologies being delivered to ensure new housing in the municipality would suit the needs of the community.

As part of the Stage 2 implementation of the Council undertook an amendment to the WPS to introduce a local planning policy and new residential schedules (C200). The amendment sought to provide guidance on the typology, scale, design and quality of housing being provided. This included a focus on accessible housing and provision of canopy trees and improved open space outcomes.

In preparing the amendment, Council examined the current population projections which underpinned the assumptions of the HDS. The current projections indicate that an adequate supply of housing for the future population of the established areas is being delivered and is forecast to continue to be delivered between now and 2037.

The research found that multi-dwelling developments are delivering dwellings with numbers of bedrooms that correlate very well with current household types. On this basis, it is likely that the housing market is reasonably responsive to demand for variations in number of bedrooms and will continue to be so as household types change. However, the housing market is not delivering adequate numbers of accessible and adaptable dwellings. An analysis of housing data showed that the delivery rate for accessible housing is 3.28%, which is well below the reported demographic need for accessible housing of 11 – 12%.

It was identified that additional policy support was required to ensure accessible housing is delivered in larger multi-dwelling developments, particularly in areas that have good access to transport and services. There is potential also for increasing the delivery of dwellings with variation in the number of bedrooms within larger developments where two bedroom housing is the dominant form. Existing planning scheme support for accessible housing was not delivering this housing type in sufficient numbers to meet community needs. Housing affordability trends should continue to be monitored in the established areas.

Amendment C200 which was approved in April 2019 (awaiting gazettal in May), introduces a new local planning policy and zone schedules to:

- Support the development of accessible and adaptable housing and encourage it's provision in areas close to transport and services.
- Support variation in the number of bedrooms in a development of ten dwellings or more.

- Encourage development that is designed to improve energy efficiency and the internal amenity of housing to ensure housing is attractive, comfortable and affordable to live in.

2.8 Monitoring the effectiveness of the Scheme

Peer Review Recommendations (C197)

Amendment C197 represented the outcome of Action 3 of the implementation of Planning Scheme Review 2013. Action 3 sought to update the MSS to include relevant content from Council's adopted strategies and policies. As part of this project, the proposed new MSS was peer reviewed by an external consultant. In addition to revising the content of the new MSS, the report provided further advice on how the WPS could be further improved. Many of the additional recommendations provided involved changes to the LPPF; many of which will be addressed through the State Governments Smart Planning program, in particular the PPF translation.

VCAT – Planning Appeals

Multi-unit development applications make up the majority of VCAT applications. Many of the issues identified in these VCAT decisions were identified as part of the Stage 2 implementation of the Housing Diversity Strategy, which will be addressed through Amendment C200. C200 will introduce a local policy and zone schedules into the WPS.

Other types of VCAT appeals include subdivision applications covered by a DPO and applications for child care centres, medical centres and service stations type uses in inappropriate locations, including on arterial roads.

Council has a significant oversupply of child care centres, many of which are speculative applications. Amendment C223 (gazetted in March 2019) introduced an updated Child Care Centre policy to require applicants to demonstrate 'need' for a centre, and where this need could not be demonstrated, for the centre to be located in an activity centre or community hub location. The policy also seeks to address other locational and design elements of these applications.

With respect to other commercial types uses, an opportunity exists to address the issue of non-residential uses within residential use zones, particularly in the context of considering applications under a Development Plan Overlay.

The VCAT case *TAG-Wollert Pty Ltd v Whittlesea CC (2017) VCAT P446/2017* highlights issues pertaining to Urban Growth Zone (Schedule 5) which is consistent with feedback received from internal stakeholders. The advice identified that the quality of the Plan7b of Schedule 5 made it difficult to determine whether a permit is required under Clause 52.17 for native vegetation, recommending that the map be improved or the process simplified. The referral authority status of relevant authorities for the assessment of quarry and landfill buffers was also raised. The VCAT decision also noted that the name of one of the reference documents

also needed to be amended. This report makes recommendations to address some of the identified issues with the assessment of Precinct Structure Plans and Urban Growth Zone (Schedule 5).

PSR Recommendation:

- Investigate the need for a local policy to provide guidance on non-residential uses in residential zones
- Review Urban Growth Zone Schedule 5 in light of the issues identified above in the VCAT case and by internal stakeholders.

State Agency feedback

Dept of Jobs, Precincts and Roads (DJPR) - Extractive resource

The issues raised in the DJPR submission which relate to extractive resources, can be summarised as follows:

- Update the MSS to identify resources and quarry related matters, including provision of a map showing: Extractive Industry Interest Areas, current Extractive Industry License sites, reference to electronic systems for updated mapping, as well as providing update local policy statements recognising the importance of resources.
- Consider applying the Special Use Zone (Schedule 4) as appropriate, to all current Work Authority sites to update existing zoning controls and reinforce the importance and protection of quarries within the municipality.
- Considering referencing the following documents in the WPS:
 - Joint Ministerial Statement – Extractives – Rock Solid Foundations for Victoria’s Growth 2018;
 - Helping Victoria Grow – Extractive Resources Strategy – June 2018;
 - Guidelines and Codes of Practice related to minerals;
 - Guidelines and Codes of Practice related to extractives.

Council recognises that extractive industry operations and reserves of future extractable materials are vitally important to support Victoria’s growing population and associated housing and infrastructure requirements. It is also noted that given the transport costs associated with these reserves can be very expensive, it is important that they are located close to where they are required and that future reserves are protected via planning mechanisms to ensure long term availability.

The *Extractive Industry Interest Areas (EIIA)* is a State government designation applied to land that has been identified as being likely to contain stone resources of sufficient quantity and quality to support commercial extractive industry operations. A change to the Urban Growth

boundary in 2010 resulted in the bulk of Council's existing EIIA being brought inside the Urban Growth Boundary.

Council Officers recently completed a project that looked at the status of existing extractive industry operations within the City of Whittlesea, an action identified Council's Green Wedge Management Plan. The project identified 9 extractive industry sites that currently operate within the municipality. The status and nature of quarrying operations including the material extracted, estimated lifespan, Work Authority requirements and relevant buffers that apply to each site were also documented.

The project found that due to the advance precinct structure planning (PSP) work that has occurred in the growth areas (led at a State level) most of the designated EIIA is now identified for some form of urban growth. This presents a policy conflict between the purpose of the EIIA to ensure the long-term protection of the resources and the urban designation. Further, the advanced PSP work potentially undermines the long-term viability and protection of the existing or future extractive industry operations within the City of Whittlesea due to the associated buffer requirements.

Council subsequently wrote to DJPR (and DELWP) to request they review and potentially remove the EIIA from all parts of the municipality due to the conflict between its designations. Council also met with DJPR, who are aware of the advanced planning in these areas and the conflict this creates for the EIIA designation. DJPR advised that are currently undertaking a pilot project investigating possible *Strategic Extractive Resource Areas (SERA)* with two Councils. While not directly related to the EIIA, DJPR advised that they will await the outcome of these pilot projects before considering the approach to the EIIA. In the meantime, DJPR are working with State and local Government to address specific local issues as they arise.

As an outcome of Council's project, the extent of the buffers to all existing extractive sites were mapped and input into Council's internal GIS system, together with other key information. Capturing this information will assist planning outcomes for land in and around these sites.

The following comment is provided to the specific issues identified by DJPR to the current planning scheme review:

- Opportunities to update and strengthen locally specific extractive resources content in the MPS and PPF will be considered, noting that local policy content cannot duplicate existing State policy content. This will be considered as part of a review of the MPS, post PPF translation, including:
 - Potential updates the MPS and local policy statements;
 - Potential inclusion of a map of current Extractive Industry License sites;
 - Potential inclusion of relevant reference documents.

- It is not appropriate at this stage to include a map in the MPS showing the EIIA considering Council's request that the EIIA within the municipality be reviewed by DJPR;
- The buffers for all existing extractive sites (and other relevant information) have been mapped on Council's internal GIS system to assist planning outcomes for land in and around these sites.
- Noting the extensive work happening at a State level in the extractive resources space, it is appropriate that Council await the outcomes of the current initiatives and clear direction from DEWLP before considering options for strengthening zoning and protection of quarries within the municipality. Notwithstanding, individual landowners can initiate a request to rezone land, as appropriate.

PSR Recommendation: Investigate opportunities to strengthen content in the MPS and PPF relating to extractive resources, including maps, as appropriate.

Environment Protection Authority Victoria

The submission provided by the EPA notes the broader State Government recognition that the planning system does not adequately prevent encroachment of sensitive land uses into buffers of existing industry, and the body of work being done to address these shortcomings through appropriate planning mechanisms, including EPA legislative and policy reforms

Within this context, the following issues were raised in their submission:

- Update the MSS CI 21.02-2 Municipal Profile – Locational and Regional Context to reinforce the important role of industrial land and industry of state significance. The clause currently refers to the 2 hubs of state significance being Cooper St and the Hanson-Wollert Landfill, but opportunity exists to strengthen this upfront with in the Municipal Profile, noting that there are 12 EPA Licenced sites within Whittlesea.
- Update the MSS CI 21.02-3 Key Issues to recognise that with increasing pressure for residential development in the municipality, appropriate consideration needs to be given to the interface issues with existing industrial uses within the municipality and across the municipal border to Hume and Darebin, particularly Thomastown.
- Strengthen Objective 2 in MSS CI 21.09 Housing by including a strategy to: "direct housing growth away from existing industrial areas."
- Update the Clause 22.08 *Materials Recycling Centres Policy* to:
 - reflect updated references: EPA *Waste Management Policy (Combustible Recyclable and Waste Materials)* (August 2018); & *Management and Storage of Combustible Recyclable and Waste Materials Guideline* (August 2017).

- include the need to ensure adequate distance from sensitive uses for material recycling centres.
- Other additional considerations for noting:
 - Encroachment: The use of schedules to include relevant considerations in the application requirements and decision guidelines so as to manage encroachment issues. This includes consideration of EPA publication *'Recommended separation distances for industrial residual air emissions'* and introducing the 'agent of change principle' to address issues. Reference was made to City of Melbourne's proposed Schedule 1 to the Capital City Zone in Fisherman's Bend, as an example of how encroachment may be considered.
 - Closed Landfills: Consider including EPA publication Assessing planning proposals within the buffer of a landfill (October 2017) as a reference document in relevant clauses to manage use or development on or on top of or near landfills to manage potential landfill gas migration risk, amenity, land and groundwater contamination issues.
 - Contaminated land and groundwater: Consider undertaking a stock take of contaminated land to inform application of the environmental Audit Overlay (EAO) for those areas previously used for industry that are transitioning to more sensitive uses.
 - There are currently seven sites within Whittlesea that are listed on EPA's Priority Sites Register (PSR). EPA has issued clean up notices or pollution abatement notices for these sites. It was noted that these sites would require environmental remediation should any requests to rezone the land be received by Council in the future.

The issues raised by EPA have been considered and the following comment is:

- Opportunities to update and strengthen locally specific content in the MPS (Municipal Profile, Key Issues, Housing) and PPF will be considered as part of a review of the MPS, post PPF translation. The appropriateness of addressing these issues at a local level or at a State level will need to be considered;
- Suggested updates to Clause 22.08 *Materials Recycling Centres Policy* will be considered as part of the review of this local policy;

PSR Recommendation: Investigate opportunities to strengthen content in the MPS and PPF relating to industry, encroachment and updated policy references as identified by EPA.

VicRoads

VicRoads submission to the planning scheme review provided the following comments:

- Consider utilising and referencing the “Movement and Place Framework” for municipal road network planning, especially within the vicinity of intense future development such as the Cooper Street Employment Area, the Melbourne Wholesale Market precinct and the operation of Craigieburn Epping Roads that will service large.
- Clause 56.06 currently requires that the ultimate arterial network be spaced at 1.6km apart as opposed to the 2-5km nominated in the MSS; consider referencing the “*Guidance for Planning Road Networks in Growth Areas*” in the planning scheme. The MSS currently highlights the existing spacing of arterial roads in the municipality which are currently spaced at approximately 2 to 5 kilometres apart.
- Concerns in relation to the “interim” PSP agreed intersection designs. These intersection designs cannot be delivered due to fragmented land ownership at intersections, resulting in substandard intersection designs and high levels of redundant works at the ultimate stage.

Council’s engineers have been working with TfV and VicRoads to trial the *Movement and Places Framework* which has included holding an internal workshop.

PSR Recommendation:

- Update the MSS to reflect Clause 56.06 in regards to the ultimate arterial network spacing
- Continue to work with VicRoads, VPA and internal stakeholders to regarding the issue of delivering road infrastructure for PSPs in the context of fragmented land ownership and out of sequence development in the PSP areas.

Victorian Planning Authority (VPA)

The VPA submission makes the following comments:

- Update Clause 22.11 *Development Contributions Plan Policy* to refer to new legislation relating to Infrastructure Contributions Plans. Local policy relating to development contributions must reflect the *Planning and Environment Amendment (Public Land Contributions) Act 2018*, which came into effect on 2 July 2018.
- That consideration should be given to the North Growth Corridor Plan (NGCP) and the Land Use Framework Plan (LUFP). In this regard the VPA advise that they are undertaking the Shenstone PSP and ICP in addition the Donnybrook-Woodstock ICP. Once the North Growth Corridor Plan (NGCP) and Shenstone PSP is finalised, these will be incorporated into the Planning Scheme accordingly.

PSR Recommendation: Update Clause 22.11 *Development Contributions Plan Policy* to refer to the *Planning and Environment Amendment (Public Land Contributions) Act 2018*.

Sustainability Victoria

Sustainability Victoria's submission noted that the City of Whittlesea contains 2 sites of state-wide significance in the Statewide Waste and Resource Recovery Plan (SWRRP), being Cooper Street and the Hansen Wollert site.

Council is currently working in conjunction with Metropolitan Waste and Resource Recovery Group and Sustainability Victoria on a *Waste and Resource Recovery Hub Plan* for the Cooper Street Precinct. Consideration could be given to strengthening the policy support in the PPF for these state significant sites.

PSR Recommendation: Recommendation: Incorporate the vision and key principles identified in the Cooper Street *Waste and Resource Recovery Hub Plan* in the MPS and PPF, as appropriate.

Internal Stakeholder Feedback

Internal consultation with Council's planners highlighted issues with implementation of the PSP's that were gazetted in recent years. It was identified that the current schedules to the Urban Growth Zone have in some instances resulted in unnecessary administrative burden.

Officers provided detailed feedback on how the current PSP drafting could be improved and the areas causing unnecessary delays. It was identified that greater clarity is required to assist in the interpretation and implementation of matters relating to constructing within landfill/quarry buffers and the assessment of native vegetation and its offsets. These issues were also identified in relation to a VCAT case, discussed earlier in this section. In addition, issues were identified with the current drafting of conditions and referral authority responsibilities. The issue of assessing "out of sequence" development was raised and it is recommended that this be addressed with DELWP, VPA and other Growth Area Councils.

Based on internal consultation, the following changes will be recommended:

For PSPs with landfill, quarry buffers or organic waste facilities

- That Council in conjunction with the VPA, EPA and DJPR review the approved PSPs and consider specifying the Determining Referral Authority or Recommending Referral Authority – for subdivision, use, and development within a landfill/quarry buffer (or approved reduced default buffer) or organic waste facility and buffer.

For PSPs with MSA or Clause 52.17 considerations

- That Council in conjunction with the VPA and DELWP (Environment) review the approved PSPs and consider the appropriateness of identifying DELWP (Environment) as a referral authority for native vegetation offsets and engage in further discussion regarding a preferred approach to managing vegetation offsets.

Gas Pipeline Construction Management Plan

- Donnybrook PSP (UGZ6) requires the Gas Pipeline Construction Management Plan is required to be provided to both the APA and Council for endorsement.
- That Council in conjunction with the VPA, APA and EPA consider amending the schedule for Condition – Gas pipeline construction management plan to request a Gas pipeline construction management plan be submitted to and approved by the relevant referral authority (as opposed to the Responsible Authority)
- The guidelines for PSPs support a regular review which may be necessary to monitor the roll out of development in the PSP areas, ensuring the Development Plans and the PSPs are developing in accordance with the intended outcomes.

Referral authority status of state agencies

- That Council raise with DELWP and VPA the status of referring applications to state agencies not identified as referral authorities (as per VCAT appeal P446/2017).
- Review the Specific provision – Referral of applications for all of the PSP areas.

Native vegetation offsets

- Write to the Minister for Energy, Environment and Climate Change, DELWP and the Minister for Planning regarding the issue of requesting environmental offsets.

Identified trees in the PSPs

- Consider reassessing/updating the mapping of trees in PSPs –Wollert, Donnybrook-Woodstock, Quarry Hills (possibly through the Biodiversity Strategy Consultants).

Define - Native vegetation size

- Consider including the definition of whether a tree is “Very Large old, Large old, Medium old” from the *Native Vegetation Guide for assessment of referred planning permit applications* into the relevant PSP documents.

Sequencing of development

- That Council raise the issue of sequencing of development with other Growth Area Councils and VPA.

Review conditions

- That Council in conjunction with the VPA review the effectiveness of the conditions and considers amending the schedule to specify the development types in which the condition applies.

Review of Clause 21 and Clause 22

Status of reference documents in the MSS

A review of Clause 21 reference documents was undertaken and the following references need to be updated or removed. Any references not listed are to be retained.

Clause 21.04	
Open Space Strategy 1997	Superseded
Clause 21.05	
Local Conservation Strategy 2000	Superseded
River Red Gum Protection Policy Guidelines 1998	Superseded
Open Space Strategy 1997	Superseded
Clause 21.08	
City of Whittlesea Heritage Study, Meredith Gould 1990	New reference
Disability Action Plan 2013-2016	Superseded
Active Whittlesea Strategy	New reference
Whittlesea Walking Strategy 2009	Superseded
Clause 21.10	
Plenty Valley Employment Strategy 1992	Superseded
Clause 21.11 Transport	
Bicycle Strategy 2005	Superseded
Whittlesea Walking Strategy 2008	Superseded
Plenty Valley Transport Strategy 1989	Superseded
Clause 21.12 Infrastructure	
Municipal Lifelong Learning 2013-2016	Superseded

Table 1 – Updates Required to Clause 21 Reference Documents

PSR Recommendation: Update or remove the reference documents in Clause 21, as identified in the report.

Status of Clause 22 local planning policies

There are currently 15 Local Planning Policies in the Whittlesea Planning Scheme. Of these, 4 new local policies were introduced and a further 4 local policies were reviewed since the last planning scheme review.

Of the 4 policies reviewed, two have been updated and gazetted, 1 policy has recently been authorised for exhibition, and 1 will be removed as part of another current amendment. These are listed in Table 2 below.

Local Policies	Planning	To be reviewed	Recommended for removal	New policy Introduced	Review Complete
Clause 22.01 Environmentally Sustainable Development				X Gazetted 18/10/19	
Clause 22.03 Bushfire Management Policy				X Gazetted 24/05/18	
Clause 22.04 Heritage Conservation Policy				X Gazetted 18/08/18	
Clause 22.05 Child Care Centre Policy					X Gazetted 4/04/19
Clause 22.06 Display Home Policy		X			
Clause 22.07 Medical Centre Policy		X			
Clause 22.08 Material Recycling Centres Policy		X			
Clause 22.09 Industrial Development Policy		X			
Clause 22.10 River Red Gum Protection Policy					X Gazetted 8/11/18
Clause 22.11 Development Contribution Plan Policy		X			
Clause 22.12 Advertising Signs Adjoining the Metropolitan Ring Road Policy					X C226 Advertising Signs Policy Authorised for exhibition 21/03/19.
Clause 22.13 Telecommunications Conduit Policy			X		
Clause 22.14 Satellite Dish Policy			X		

Clause 22.15 South Morang Major Activity Centre Policy				X To deleted as part of Amendment C204 Plenty Valley Town Centre Structure Plan Amendment
Clause 22.16 Housing Diversity and Design Policy			X Gazetted 9/05/19	

Table 2: Overview of the status of local planning policies

A review of the remaining 7 local planning policies identified that 2 are no longer relevant having have been superseded by other provisions of the planning scheme, while 5 policies require updating to ensure they adequately address the needs of Council. These are discussed below.

Clause 22.06 Display Home Policy

- The policy is still utilised and provides guidance for decision-making. It is recommended for review.

Clause 22.07 Medical Centre Policy

- The policy is still utilised and provides guidance for decision-making. It is recommended for review.

Clause 22.08 Material Recycling Centres Policy

- The policy is still utilised and provides guidance for decision-making. It is recommended for review.

Clause 22.09 Industrial Development Policy

- This policy should be updated to reflect Council's preferred built form outcome for industrial development, taking into account infill and greenfield development.

PSR Recommendation: Update the local policies identified to improve the guidance provided to support decision-making.

Clause 22.11 Development Contributions

Clause 22.11 was introduced in 8 July 1999. In 2014, Amendment C177 revised the policy wording to reflect contemporary local planning policy drafting.

Background

There are four key development contribution funding mechanisms currently available including: Infrastructure Contribution Plan (ICP), Development Contribution Plans (DCP), Informal Shared Funding Arrangements and Section 173 Agreements/Planning Permits.

A Development Contributions Plan (DCP) is a mechanism used to levy new development for contributions to planned infrastructure needed by the future community. A council collects development contribution levies from new development through an approved DCP, which forms part of a planning scheme. In preparing a DCP, there needs to be a nexus between new development and the need for new infrastructure.

Under Section 62 (6) of the Planning and Environment Act, the Responsible Authority must not include a condition requiring a person to pay an amount for or provide services or facilities other than a condition requiring to implement an approved Development Contribution Plan, or requiring services or facilities to be provided in accordance with a pre-existing agreement under section 173 of the Act.

An approved DCP is implemented through the application of a Development Contributions Plan Overlay (DCPO) and schedule. The schedule indicates the levies that apply in a particular area.

With the exception of open space contributions in Clause 52.01 of the Victoria Planning Provisions or an incorporated parking precinct plan, an approved DCP is the only legitimate mechanism for requiring a levy towards infrastructure provision in the planning scheme across a number of users.

Council currently has 11 DCPs:

- Epping North: DCP01
- Harvest Home Road: DCP02
- Established areas drainage Levy DCP03
- Mernda Strategy Plan: DCPOs 05-09
- Epping North East: DCPO10
- Lockerbie: DCPO11
- Lockerbie North: DCPO12
- Quarry Hills: DCPO13
- Epping Central: DCPO14
- English Street: DCPO15
- Wollert: DCPO16

Relevance of the policy

The policy identifies the need to consider development contributions for subdivisions (residential and non-residential). The policy fulfils a gap which currently can be applied to subdivision applications and can be considered for a contribution other than a public open

space contribution which is outlined in the Subdivision Act 1988. The policy can be utilised when considering permit conditions for the requirement of either a DCP or a S173 Agreement.

Since the introduction of the policy there has been new legislation which complements and/or supersedes the local planning policy.

Internal feedback on the policy was sought to inform whether the policy warrants updating or whether it could be removed. The following advice provided:

- **Relevance:** The policy is not generally used in its current form except to double check if it has any relevance, or as a reference document. While the policy does repeat some existing State guidelines, it would be worthwhile seeking legal advice before deciding whether to delete the policy.
- **Effectiveness:** The policy in its current form repeats State guidelines so it isn't generally used by Council to seek Development Contributions.
- **Efficiency:** The policy duplicates existing guidelines so it isn't utilised a lot in decision making. If the policy is reviewed it will need to be substantially re-written in order to be relevant or useful. This could include covering items such as staging and timing and reaffirming Council's approach to Works In Kind.

PSR Recommendation: Review and update the local policy to improve the guidance provided to support decision-making.
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Clause 22.13 Telecommunications Conduit Policy

Clause 22.13 Telecommunications Conduit Policy was gazetted on the 30 August 2001 and seeks to facilitate the establishment of an optic fibre cable network in the City of Whittlesea. It affects subdivision and development of all land in the city.

Background

At the time of introducing the local policy, the following telecommunications provisions were in the VPP:

- Clause 18.12 Telecommunications – The objective of this clause was to: *To recognise the importance of telecommunications to all aspects of modern life and the essential and beneficial contribution of modern telecommunications facilities to local communities and the State and national economy.*
- Clause 52.19 Telecommunications facility introduced on 8 July 1999 which was focussed on ensuring that state wide telecommunications infrastructure and services are provided.

The City of Whittlesea identified the possible risk in not supporting/encouraging the early delivery of optic fibre conduits in greenfield developments. Council recognised the potential

for growth areas to utilise broadband technology to strengthen local businesses and local communities, reduce travel time for residents, and provide greater access to online services.

The primary basis of Clause 22.13 Telecommunications Conduit Policy, which was gazetted in 2001 (Amendment CO18), was to ensure early provision of conduits for optical fibre cabling and to facilitate installation of telecommunication services for new development and in particular greenfield development.

These early policy requirements succeeded in facilitating the early roll out of NBN in the City of Whittlesea, ahead of many other localities. However, it is 17 years since the original gazettal of this LPP and much has changed in the legislative framework since this time.

Clause 18.12 was later superseded by Clause 19.03-4 Telecommunications which was gazetted in VC71 on 20 September 2010. This policy supports the delivery of telecommunication services but does not require the provision of optical fibre cabling, the policy supports satellite, copper wire cable and optical fibre cable.

Clause 66.01 assists with the rollout of optical fibre as part of the NBN for new urban subdivisions (gazetted in 2013). Clause 66.01-1 requires standard conditions requiring an agreement with a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan. The difference between the local planning policy and Clause 66.01 is that the local planning policy applies to all development including buildings and works, whereas Clause 66.01 only applies to subdivisions.

A summary of relevant telecommunication requirements is summarised in Figure 3.

Jurisdiction	Tool	Purpose
Local	Clause 22.13 Telecommunications Conduit Facility	Encourage the provision of optical fibre conduits for new developments.
State	Clause 19.03-4 Telecommunications	To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.
State	Clause 52.19 Telecommunications Facility	To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.
State	Clause 66 Amendment VC81 Telecommunications services and facilities in subdivisions	To assist in the roll out of optical fibre as part of the NBN, the standard conditions require a developer to install fibre ready telecommunications facilities in new subdivisions.
State	66.01-1 Mandatory conditions for subdivision permits	A permit for subdivision must contain the following conditions: The owner of the land must enter into an agreement with: - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in

		accordance with the provider's requirements and relevant legislation at the time; and - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
Federal	Telecommunications Act (Part 20A)	Deployment of optical fibre. To support the roll out of telecommunications in new developments, Part 20A of the Telecommunications Act and associated rules require developers who are constitutional corporations to install fibre-ready pit and pipe for use by carriers.
Federal	Telecommunications infrastructure in new developments policy	This document sets out the Australian Government's revised policy on the provision of telecommunications infrastructure in new developments. The policy's fundamental objective is to increase efficiency and broaden choice in the provision of telecommunications by encouraging fair competition and ensuring some recovery of costs up front.

Table 3- Summary of telecommunication standards, legislation

Where is the policy applied?

Planning Panels Victoria - Amendment C169

- The policy requirements informed Schedule 28 to the Development Plan Overlay – Ivanhoe Grammar School (Mernda) Development Plan.
- As part of the Panel process Amendment C169 included a Condition for permits requiring: "Any proposal to subdivide the land must provide a conduit network concept plan to facilitate the future installation of advanced telecommunications services through optical fibre cabling (as appropriate)" which reflects Clause 22.13 Telecommunication Conduit Policy.

Reference as a standard condition

- Council's Development Engineering places a standard condition on their approvals which references Clause 22.13 Telecommunications Conduit Policy and Planning guidelines for Conduits for Optic Fibre Services (2001):

"unless an alternative empty conduit network is being installed that is suitable for fibre optic infrastructure and the applicant has evidence of an access agreement between the carrier putting in the conduit and the National Broadband Network Company, the provision of conduits, including pits and ancillary works for optical fibre telecommunications services or any equivalent alternative approved by the Responsible Authority and the conduit shall be designed in accordance with Clause

22.13 Telecommunications Conduit Policy of the Whittlesea Planning Scheme and Planning Guidelines for Conduits for Optic Fibre Services, 2001.”

Review policy against SPPF

- The SPPF under Clause 19.03-4 identifies the need to consider the extension and maintenance of telecommunication infrastructure and consider “A Code of Practice for Telecommunications Facilities in Victoria” (Department of Sustainability and Environment, 2004).

Consultation with Development Assessment and Development Engineering occurred as part of the review for this policy. The internal feedback supports the deletion of the local planning policy:

- The Growth Area Development Assessment team and Development Engineering team advised that the provisions in the planning scheme, including subdivision Clause of 66.01-1 and Clause 19.03-4 of the State Planning Policy Framework, replace the need for Clause 22.13 as NBN and telecommunications are implemented into subdivisions under agreements between developers and telecommunication providers.
- It was noted by the Growth Areas Development Assessment team that conduits are relatively standard infrastructure and the growth areas are designed to be “NBN” ready.

The feedback received confirms that the local planning policy Clause 22.13 can be removed as it has been superseded by other legislation. In addition, the current operational requirements, including standard engineering plan conditions which are included in subdivision permits may need to be amended.

PSR Recommendation:

- Remove Local Planning Policy Clause 22.13 Telecommunications Conduit Policy
- Review and update the standard engineering plan condition included in subdivision permits.

Review Clause 22.14 Satellite Dishes

The local planning policy, Clause 22.14 Satellite Dish Policy was gazetted in 26 June 2008 and applies to all land that requires a permit under Clause 52.04.

Clause 52.04 was introduced on the 24 July 2003 and amended 15 September 2008. Both the local planning policy and the VPP clause aim to minimise the visual impact of satellite dishes and provide direction on the siting of satellite dishes. Clause 52.04 exempts planning permission for satellite dishes which are smaller than 1.2 metres in diameter and those dishes between 1.2 metres and 2.4 metres provided the satellite dish is setback in accordance to the setbacks identified within the clause.

Background

The local planning policy (Clause 22.14) was originally gazetted approximately 10 years ago. Since then, the expansion of the broadband network and internet television has seen the reduction in demand for larger satellite dishes, with the most recent satellite dish planning application lodged in 2014.

Internal feedback on the policy was sought to inform whether the policy warrants updating or whether it could be removed. Feedback from statutory planning officers indicate that the local planning policy could be removed because it is adequately covered by the current considerations under Clause 52.04.

In deleting Clause 22.14, it may be appropriate to relocate some content into the MPS.

PSR Recommendation: Remove Local Planning Policy Clause 22.14 Satellite Dish Policy and relocate any relevant content into the MPS, if appropriate.

Review of zones, overlays and schedules

A review of zones, overlays and schedules has identified opportunities to improve readability and update references to respond to the issues raised below:

Clause 35.05 Green Wedge A Zone

Update the Green Wedge A Zone schedule map to improve readability and useability.

Clause 37.02-4 Aurora Comprehensive Development Plan

All buildings and works in the Comprehensive Development Zone (CDZ) require a permit unless exempted by the schedule. This includes buildings and works for *single dwellings on lots over 300sqm under Clause 37.02-4*. This causes unnecessary planning applications given the intention under the CDZ is to require planning permission to construct residential dwellings in certain locations. It is recommended that the CDZ4 schedule and the implications for buildings and works and single dwellings on lots over 300sqm be reviewed.

Schedule 5 to Clause 37.07 Urban Growth Zone – Wollert PSP

Reference to *BPEM Siting, design, operation and rehabilitation of landfills* needs to be updated from 788.2 to 788.3, as identified in the VCAT case referenced earlier in this report, *VCAT appeal TAG-Wollert Pty Ltd v Whittlesea CC 2017*.

Design and Development Overlay - Clause 42.02 Schedule 2

A full environmental/ biodiversity assessment is mandatory under the existing schedule. This requirement has proved unnecessarily onerous for minor applications. It is recommended that

a review of the wording of the schedule to allow for exemptions at the discretion of the Responsible Authority be considered as part of the planning scheme review.

Development Plan Overlays - Clause 43.04

An outstanding action from the previous Planning Scheme Review 2013, is the comprehensive review of the existing Development Plan Overlays. Some Development Plan areas have been fully constructed and are complete and the DPO may no longer be the most effective planning tool for assessment.

In reviewing the DPOs, a methodology should be developed to assist and expedite the review. This includes developing a checklist of each DPO and the accompanying DPs which identifies what needs to be met as part of the development; confirm the conditions are complete; make recommendations for its possible removal and seek approval through the internal council “PAT” process.

Heritage Conservation Policy - Clause 22.04

The policy currently incorrectly references the VPP for Dry Stone Walls at 52.37, this should be corrected to Clause 52.33.

Further, VC148 introduced changes to the schedules which mandates “Statements of Significance” to be incorporated into heritage overlays, changes to the schedule also supports the inclusion of heritage design guidelines and application requirements. To reflect the new provisions, Council should incorporate the Statements of Significance for each heritage place and incorporate any current Cultural Heritage Management Plans and guidelines as permitted under the schedule to the overlay.

Rural Conservation Zone - Clause 35.06 (Schedule 1)

The current map to the Rural Conservation Zone – Schedule 1 is difficult to read and needs to be updated.

Donnybrook-Woodstock PSP – Schedule 6 to Clause 37.07 Urban Growth Zone

There is currently a conflict between the needs of State Agency interest and expertise in PSPs and the referral authorities listed under Clause 66 of the Planning Scheme.

The requirements within the PSP contain a general proviso to the ‘satisfaction of Referral Authorities’ however the state agencies listed as formal referral authorities at Clause 66 do not reflect the extent of state agencies which have an interest and expertise to advise on applications. This issue was identified in the VCAT decision discussed earlier in the report, *VCAT appeal TAG-Wollert Pty Ltd v Whittlesea CC 2017*.

This causes some difficulty for local government as the appropriate state agencies may technically have no status in the planning process. This issue should be raised with DELWP and the relevant State Agencies.

The Schedule to Urban Growth Zone (UGZ) makes provision for mandatory conditions on permits to be issued. Feedback received is that whilst this is generally supported, there is an opportunity to reconsider the wording to allow for flexibility either within the requirement or within the condition. For example, not all applications warrant PTV to provide comment at every stage of a subdivision. Council may wish to consider adding the following words to the condition: *'unless otherwise agreed in writing by the Responsible Authority'*. Similarly, a Kangaroo Management Plan is required on all subdivision permits, this includes a 2-lot subdivision (paper process) with no actual works proposed on site. Flexibility should be built into the condition to allow discretion by Council.

Clause 37.07 Schedule 3 to the Urban Growth Zone – Quarry Hills Precinct Structure Plan

The current referral requirements for Precinct Structure Plans are creating a dilemma for Council who are expected to assess proposed development within a BPEM buffer.

As per Requirement R114 of the Quarry Hills PSP, all applications for development within the buffer distance must provide sufficient evidence to demonstrate that a variation to the *Recommended separation distances for industrial residual air emissions* (EPA publication number 1518 March 2013) can be allowed and a sensitive use can be safely developed.

However, as Council has no expertise in this area, Council has been requiring applicants to provide additional consultant reports to peer review their request to reduce the default BPEM buffer requirement. At the moment there is only a guideline (G14) which requires that the applicant liaise with DJPR prior to submitting an application and no formal referral is required.

Council currently informally refers applications to DJPR under Section 55 of the Planning and Environment Act, as the UGZ exempts applications from the notice provisions of the act. Technically speaking, Council should not be referring applications to referral authorities under Section 52 of the act as the zone does not allow for this. Accordingly, if Clause 66 does not specify that the application has to be referred and we can't refer the application under Section 52, Council does not have any scope to consult the authority.

It is recommended that Council in conjunction with the VPA, EPA and DJPR review the Determining Referral Authority – for subdivision, use, and development within a landfill buffer (or approved reduced default buffer).

Clause 52.17 - Native Vegetation Schedule

Vegetation removal in PSP

Vegetation removal within PSP areas continues to create confusion, especially given the overlap with both State and Federal requirements. Identifying vegetation to remove / retain is helpful, however where an applicant proposing to retain less than 80% then there are obligations under both Clause 52.17 as well as the MSA requirements. This in itself is creating confusion as the Department of Environment, Land, Water and Planning simply require offsets be provided in accordance with MSA requirements and ignoring the Clause 52.17 framework, there is currently no oversight or link with the MSA requirements.

There is also confusion with respect to the following:

- The trees to be retained (i.e. trees in green) and the trees subject to the 80% retention (i.e. trees in blue) shown within the PSP can be inaccurate. Some of the trees shown for retention are not native or don't even exist.
- It is recommended reference to the *Native Vegetation Guide for assessment of referred planning permit applications* (DSE April 2017) be included in the schedules. There is also opportunity to look at defining what is meant by “small or medium tree”; whether Clause 52.17 applies to all vegetation once the 80% retention rate is reduced or whether it applies simply to that amount over the 80%.
- DELWP have been requesting the inclusion of notes on planning permits which requires that the plan of subdivision is referred to them at Certification/Statement of Compliance stage. This has caused operational issues for council as Notes on planning permits are normally utilised to provide additional information and are not enforceable. There have also been concerns raised internally about there being no legislative requirement for Council to refer the plans of subdivision to DELWP.

Clause 52.17 - Native Vegetation & Schedule

The recent amendment to 52.17 has changed the requirement for planted vegetation. The categories for exemption have significantly increased and therefore increased triggers for a permit application.

Clause 52.17 and schedule does not include exemptions from requirements for native vegetation removal where the Melbourne Strategic Assessment area also applies. Therefore technically, both MSA and 52.17 offset requirements should be applied. It is recommended that council raise this issue with DELWP seeking changes to the planning scheme for exemptions for vegetation considered under MSA from CI 52.17 requirements.

Council's internal operations, includes advising applicants of the Native vegetation requirement for sites affected. In addition, as part of Council's own internal processes, there is an internal register of sites and requests to DELWP to monitor vegetation off sets.

It is recommended that Council work with DELWP to consider the preferred operational management of vegetation off sets, including seeking planning scheme exemptions for vegetation considered under MSA from Clause 52.17 requirements.

PSR Recommendation:

- Review and update the zones, overlays and schedules to address the issues raised in this section.

Planning permit and process improvements

An internal DA audit was conducted in 2017. The audit considered key processes and controls to manage selected planning applications.

The report identified a need for Council to endorse a “*Conflicts of Interest Policy*” in addition the audit report identified that the absence of a formal conflict of interest policy may impact organisational awareness of requirements to identify and disclose perceived and actual conflicts of interest. The audit, recommends – “Require all relevant officers to formally declare that conflicts of interest have been considered for all planning permit applications, including statement that no conflicts exist or an action plan if a conflict of interest has been identified.”

In addition, the audit made the following recommendations for improved procedures:

- a) Define rules to calculate and manage the 60 day statutory target.
- b) Develop and document criteria in determining an amended application.
- c) Conduct regular review of Delegate reports.
- d) Develop procedures for updating Authority.
- e) Update procedures to require notification of objectors during the planning permit application process.

Changes since the internal audit recommendations

Action	Detail	% of action complete
Planning Permit Applications	The checklist for minimum information has been completed and forms part of operating procedures. The Information Management team have agreed to cross check all scanned documents to ensure accuracy, quality of image, and the correct document set, as well as prioritise urgent matters such as VicSmart and other FastTrack applications. Planning information is given priority to avoid delays across the board	100% of action complete

	Procedural steps have been reviewed, documented and improved where needed ensuring that applications are allocated on a daily basis.	
Review and process map current protocols in consultation with ELT and Governance to establish whether there are opportunities to improve timelines for planning permit applications presented to Council. This will be considered in conjunction with a review of planning delegations.	Process reviewed and timeframes fixed as part of overall Council process. Council meeting schedule modified and any initiatives to save time have and will continue to be considered in an ongoing capacity.	100% of action complete
Establish a formal monitoring process, including the consideration of automated work flow and reminder alerts, to identify and follow up applications which have outstanding internal and external referrals.	There are some limitations to the software systems in this space, however revised reports have been prepared and planners meet with team leaders regularly with an update on all their applications. Moreover, ongoing investigations are occurring as part of a digital transformation with possible improvements to the software.	100% of action complete
Existing operational procedures will be supplemented to include specific guidelines on events that trigger a reset, pause and restart for the purposes of tracking an application against the 60 day statutory period.	Detailed Statutory Clock interpretation procedures have been prepared and implemented. The relevant officers have been advised through their team meeting process.	100% of action complete
<i>Action Plan:</i> a) Contribute to the organisational wide Conflicts of Interest Policy.	The Conflict of Interest Policy has been finalised and is utilised by council.	100% of action complete

b) Continue to develop and finalise the Conflicts of Interest Policy.		
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Internal consultation

An opportunity has been identified to improve the Development Plan process, including guidelines for applicants, checklists for planners and templates for referrals. Due to the increase in Development Plan applications, a review of how the process can be standardised and improved is required. Further discussion in conjunction with statutory planners and developers is recommended to improve the Development Plan process for all parties.

PSR Recommendation: Consider opportunities to provide greater guidance for Development Plan applications, including checklists to improve the implementation of Development Plans.

VAGO report – Managing Victoria’s Planning system

In 2016 the Victorian Auditor-General’s Office (VAGO) undertook an Audit: *Managing Victoria’s Planning System for Land Use and Development*. The Audit was undertaken of DELWP, and three councils, including the City of Whittlesea. The Audit was to examine their roles as planning and responsible authorities in managing and implementing the planning system to support the objectives of the *Planning & Environment Act 1987* and the desired outcomes of state planning policies.

The Audit report concludes that assessments by DELWP and councils to inform decisions could be more comprehensive to meet the requirements of the Act and the VPP. The report also noted that DELWP do not have effective measures in place to measure the success of the planning system’s contribution to achieving planning policy objectives.

As a result, planning schemes remain overly complex. They are difficult to use and apply consistently to meet the intent of state planning objectives, and there is limited assurance that planning decisions deliver the net community benefit and sustainable outcomes that they should. In response to this, DELWP have undertaken the *Smart Planning* Program to improve and streamline planning schemes.

The Auditor also provided Council officers with feedback on possible improvements to delegation reports, and in particular ensuring that delegation reports include assessments to include an overall conclusion that integrates the decision-making considerations, weighing up the positive and negative attributes and the overall acceptability of the proposed land use or development in proportion to its scale, complexity and risk. The Planning and Building Department have sought to improve the reporting templates to address this issue.

PSR Recommendation: Implement and monitor actions to address the shortfalls identified in the VAGO Audit Report.

3. Recommendations

Recommendations have been identified as part of the Planning Scheme Review 2018. The recommendations as set out below, have been grouped into the following categories:

- Local Planning Policies to be Reviewed
- Local Planning Policies to be Deleted
- Review and update of Planning Scheme Ordinances
- Anomalies
- New Further Strategic Work
- New Municipal Planning Strategy (MPS) and Local Policy Content
- Internal Operations
- Advocacy

Recommendations have been identified as short term, medium term and ongoing. Short term recommendations have been identified based on their ease of delivery, low resource/budgetary requirements and need. Recommendations identified as medium term reflect the need for further investigation or are dependent on other areas of Council. Recommendations identified as “ongoing” relate to the regular maintenance of the Planning Scheme.

The Strategic Planning and Economic Development Department will progressively work through each of the recommendations to implement the opportunities for improvement identified. It is noted that any proposed changes to the Whittlesea Planning Scheme will be subject to the usual statutory process and will be reported to Council for approval prior to commencement of any formal planning scheme amendment process.

A. Local Planning Policies to be reviewed

Reference	Recommendation	Source	Type	Timing
1 Clause 22.06 Display Home Policy	Retain and update <i>Clause 22.06 Display Home Policy</i> to ensure it addresses the needs of Council.	Internal	Amendment / MPS	Short term

Reference	Recommendation	Source	Type	Timing
2 Clause 22.07 Medical Centre Policy	Retain and update <i>Clause 22.07 Medical Centre Policy</i> to ensure it addresses issues regarding the location and design of medical centres to address the needs of Council.	Internal / VCAT	Amendment / MPS	Short term
3 Clause 22.08 Materials Recycling Centres Policy	Retain and update <i>Clause 22.08 Materials Recycling Centres Policy</i> to reflect changes to the EPA Act and EPA guidelines and address the needs of Council.	Internal / EPA	Amendment / MPS	Short term
4 Clause 22.09 Industrial Development Policy	Retain and update <i>Clause 22.09 Industrial Development Policy</i> to ensure it addresses the needs of Council.	Internal / VCAT	Amendment / MPS	Short term
5 Clause 22.11 Development Contribution Plan Policy	Review and update <i>Clause 22.11 Development Contribution Plan Policy</i> to remove duplication considering recent legislative changes/requirements and enhance local provisions.	Internal / VPA	Amendment / MPS	Short term

B. Local Planning Policies to be deleted

Reference	Recommendation	Source	Type	Timing
6 Clause 22.13 Telecommunications Conduit Policy	Remove <i>Clause 22.13 Telecommunications Conduit Policy</i> which is now redundant due to changes in technology and legislation.	Internal	Amendment / MPS	Short
7 Clause 22.14 Satellite Dish Policy	Remove <i>Clause 22.14 Satellite Dish Policy</i> which is now redundant due to changes in the planning scheme and technology. Where appropriate, reflect any relevant content in the MPS.	Internal	Amendment / MPS	Short

C. Review and update ordinances

Reference	Recommendation	Source	Type	Timing
8 General updates	Review and update the ordinances to: - remove redundant references - update Clause 74.02 Further Strategic Work and removing redundant/completed/commenced projects and incorporating new projects (if not addressed by the PPF translation).	Internal/ external	Amendment / MPS	Short
9 Development Plan Overlays	Review the Development Plan Overlays to: • consider the possible removal of DPOs for developments that are now built out	Internal	Amendment / ongoing	Short

Reference	Recommendation	Source	Type	Timing
	- reference the Development Plans in the Planning Scheme - ongoing monitoring of DPOs to improve usability and transparency.			
10 Clause 42.02 Schedule 2	Review and edit the Vegetation Protection Overlay - Clause 42.02 Schedule 2 to provide greater discretion /exemptions for the Responsible Authority in applying the requirement for a mandatory full environmental/ biodiversity assessment.	Internal	Amendment	Short
11 Biodiversity Strategy and Action Plan	Update the MPS & PPF to incorporate relevant content from Council's Biodiversity Strategy and Action Plan (once adopted). This includes: - relevant maps of biodiversity values, assets, habitat connectivity and gaps, priority areas for action, threats and opportunities. - map the bioregions including the Victorian Volcanic Plains, Highlands Southern Falls, Urban landscape, Central Victorian uplands reflecting the natural attributes of the municipality, as appropriate.	Internal	Amendment	Medium
12 Statements of Significance and Cultural Heritage Management Plans	Incorporate the Statements of Significance for each heritage place and any current Cultural Heritage Management Plans and guidelines, as permitted under the Schedule to Clause 43.01 Heritage Overlay for each heritage place.	VC148	Amendment	Medium
13 Landfill/ quarry buffer or organic waste facility buffer	Review the UGZ Schedules implementing the PSPs to address the issues raised in relation to subdivisions, use and development within a landfill/quarry buffer or organic waste facility buffer.	Internal	Amendment	Short
14 UGZ6: Donnybrook PSP & UGZ5 (Wollert PSP)	Review: - UGZ6 (Donnybrook PSP) to address the administrative issues identified with requiring endorsement of both the APA and Council for Gas Pipeline Construction Management Plans. - UGZ5 (Wollert PSP) to address the issues identified by VCAT.	Internal / VCAT	Amendment	Short

Reference	Recommendation	Source	Type	Timing
15 Maps of trees for PSPs with MSA or Clause 52.17	Consider whether it is appropriate to update the maps of trees for PSPs with MSA or Clause 52.17 considerations.	Internal	Amendment	Short
16 Define native vegetation size	Consider whether it is appropriate to define the native vegetation size for PSPs, including the definition of whether a tree is "Very Large old, Large old, Medium old". This definition can be found in the <i>Native Vegetation Guide for assessment of referred planning permit applications</i> .	Internal	Amendment	Short
17 Review PSP conditions in UGZ Schedules	Review the gazetted PSPs in conjunction with the VPA to: - consider the effectiveness of the conditions and whether the schedule should be amended to specify development types that the condition applies. - the mandatory conditions be re-worded to allow discretion by the Responsible Authority.	Internal	Amendment	Short

D. Anomalies

Reference	Recommendation	Source	Type	Timing
18 Planning Scheme Issues Register	Review and undertake a corrective amendment to address anomalies identified in existing Council databases, including: - Update Clause 35.05 Green Wedge A Zone maps for the GWA Zone Schedule. - Update Rural Conservation Zone - Clause 35.06 (Schedule 1) maps. - Replace BPEM reference <i>Siting, design, operation and rehabilitation of landfills</i> from 788.2 to 788.3 in Schedule 5 to Clause 37.07 Urban Growth Zone – Wollert Precinct Structure Plan (Clause 37.07–5). - Review zoning for McDonalds Road PS725674B (to be RZD1) and Main Whittlesea Rd South Morang (arterial road widening). - Amend Heritage Conservation Policy - Clause 22.04 to correctly refer to Dry Stone Walls at 52.33.	PSR 2013 / Internal/ State Agency	Amendment / ongoing	Ongoing

Reference	Recommendation	Source	Type	Timing
	- Realign the flood zone along the Edgars Creek corridor to provide clear and consistent zoning including updating/correcting the flooding and inundation provisions in the planning scheme. - Identify VicRoads “Hume Freeway Corridor Noise Wall Strategy” in DDO Schedule 2.			
19 Clause 37.02-4 Aurora Comprehensive Development Plan (CDZ4)	Review Clause 37.02-4 Aurora Comprehensive Development Plan (CDZ4) and the implications for buildings and works and single dwellings on lots over 300sqm.	Internal	Amendment	Short
20 Anomalies	Regular review of Council’s Issues Register to identify and address identified planning anomalies, as part of the ongoing maintenance to the Planning Scheme.	PSR 2013	Amendment	On- going

E. New Further Strategic Work

Reference	Recommendation	Source	Type	Timing
21 Gaming	Consider updating the schedules to the gaming provisions in the planning scheme to address the health and social impacts of Electronic Gaming Machines (EGMs) for existing and emerging communities.	Internal, VC148	Further Strategic Work	Medium
22 20 minute neighbourhoods	Consider investigating the 20 minute neighbourhood model for the municipality to reflect State planning policy and improve liveability outcomes for the community. An output of this approach may be to develop a Neighbourhood Centres Framework.	SGS report / Plan Melb / W2040	Further Strategic Work	Medium
23 Urban design New Town Centres	Consider developing guidelines for new town centre developments.	Internal	Further Strategic Work (Urban Design) Amendment/ MPS	Medium
24 Non-residential uses in residential zone	Consider the need for a new local planning policy to address the issue of non-residential uses within residential use zones, particularly in the context of	Internal	Further Strategic Work	Medium

Reference	Recommendation	Source	Type	Timing
	considering applications under a Development Plan Overlay.			
25 Biodiversity Strategy and Action Plan	Undertake further work to inform a potential planning scheme amendment to achieve the outcomes identified in the Biodiversity Strategy and Action Plan (once adopted) including the application of appropriate zones and overlays.	Internal	Further Strategic Work (Sustainability Planning Unit) Amendment (Strategic Planning)	Medium
26 Land Capability Assessment report	Undertake further work to inform a potential planning scheme amendment to achieve the outcomes identified in the Land Capability Assessment report. This includes a review of the existing RCZ and GWAZ to support agricultural/ farming activity.	LCA Report / PSR 2013	Further Strategic Work (Agribusiness Officer/Sustainability Planning Unit) Amendment (Strategic Planning)	Medium
27 New Farm Dams	Review existing planning policies and controls relating to new farm dams in rural areas to minimise impacts on stream flows in local waterways.	PSR 2013	Further Strategic Work (Sustainability Planning Unit) Amendment (Strategic Planning)	Medium

F. Incorporate new content into the Municipal Planning Strategy

Reference	Recommendation	Source	Type	Timing
28 Review and update the MPS and PPF	Review and update the MPS and PPF to: - Address any gaps/issues identified post the PPF translation - Incorporate details of the PSPs gazetted into the Planning Scheme since the last planning scheme review - Update the Clause 21 reference documents, as identified. - Strengthen content and mapping relating to extractive resources. - strengthen content relating to industry, encroachment and updated policy references as identified by EPA. - Incorporate relevant content and maps from the Open Space Strategy. - identify the Grassy Eucalypt Woodland Investigation Area and flag its biodiversity significance.	Internal/external	Amendment/MPS	Short

Reference	Recommendation	Source	Type	Timing
	- Consider opportunities for further policy support for securing the protection of the Grassy Eucalypt Woodland Reserve. - Identify sites of state wide significance including: industrial land (State significant Northern Industrial Precinct), Waste and Resource Recovery Hubs, education and health precincts. - Incorporate relevant content from the Cooper Street Waste Recovery Hub Plan. - Reflect Clause 56.06 and the ultimate arterial network spacing.			
29 Maps of identified networks and routes	Updating the Planning Scheme to identify networks and routes from the <i>Road and Public Transport Plan 2017</i> , <i>City of Whittlesea Road Safety Strategy 2017</i> , <i>Whittlesea Bicycle Plan 2016-2020</i> into the MPS.	Internal	Amendment / MPS	Medium
30 Maps of trails	Incorporate the following trails and the priority projects for the City of Whittlesea: Edgars Creek Trail, Merri Creek Trail, Whittlesea Rail, Yan Yean Pipe trail, Plenty Road Shared Path as outlined in the Northern Regional Trails Strategy.	Internal	Amendment / MPS	Medium

G. Internal operations

Reference	Recommendation	Source	Type	Timing
31 Officer reports	Improve Statutory Planning and Strategic Planning reports to incorporate a full assessment of a proposal, including an overall conclusion which integrates the decision-making considerations, weighing up the positives and negative attributes and the overall acceptability of a proposal, as identified by VAGO.	VAGO	Internal	Short
32 Development Plans	Consider opportunities to provide greater guidance for DP applications, including checklists, to improve the implementation of DP's.	Internal	Internal	Short
33 VicRoads	Continue to work with VicRoads, VPA and internal stakeholders regarding the issue of delivering road infrastructure for PSPs in the context of fragmented land ownership and	VicRoads	Internal and external	Short

	out of sequence developments in the PSP areas.			
34 Clause 22.13 Telecommunications Conduit Policy	Remove the standard engineering plan condition included in subdivision permits referencing <i>Clause 22.13 Telecommunications Conduit Policy</i> , which is recommended to be removed.	Internal	Internal	Short

H. Advocacy

Reference	Recommendation	Source	Type	Timing
35 Environmental offsets under the MSA for PSP areas	Write to the Minister for Energy, Environment and Climate Change, DELWP and the Minister for Planning regarding the issue of requesting environmental offsets under the MSA for PSP areas.	Internal	Advocacy	Short
36 PSP - Review the Determining Referral Authority	Review in conjunction with the VPA, EPA and DJPR the Determining Referral Authority for subdivision, use, and development within a landfill and quarry buffer.	Internal/VCAT	Advocacy	Short term
37 Sequencing of development	Work with the VPA and other Growth Area Councils to address the issue of out of sequence development and infrastructure provision in the PSP areas.	Internal	Advocacy	Short

4. Conclusion

Overall the Whittlesea Planning Scheme has improved since the last review with the progressive implementation of the identified actions and the implementation of Council strategies.

The feedback received from internal and external stakeholders have provided insight into the useability of the Whittlesea Planning Scheme.

The review found the Planning Scheme to be performing well and Council is responding to identified deficiencies. In particular, that Council has adopted a continuous improvement model which includes reviews of its Local Planning Policy Framework which has already commenced. Opportunities to undertake further regular maintenance planning scheme amendments is recommended to tackle some of the unnecessary administrative burdens which impact on efficiency and effectiveness of the planning scheme.

The Strategic Planning and Economic Development Department will progressively work through each of the recommendations to implement the opportunities for improvement identified. Any proposed changes to the Whittlesea Planning Scheme will be subject to the usual statutory process and will be reported to Council for approval prior to commencement of any formal planning scheme amendment process.

5. References

Food for thought: challenges and opportunities for farming in Melbourne's Food bowl A Footprint Melbourne Report, University of Melbourne, July 2018

Future prospects of local agriculture in the City of Whittlesea – Report, City of Whittlesea in collaboration with Deakin University, 2018

Interface Council's Liveability Snapshot, Interface Councils, September 2017

Plan Melbourne 2017-2050, Department Environment, Land, Water and Planning 2017

State of Australia's Fast Growing Outer Suburbs – the economic and demographic transition of the Fast Growing Outer Suburbs, NGAA, February 2018

Transformational Infrastructure Projects – In Australia's Fast Growing Outer Suburbs RMIT, March 2018

Managing Victoria's Planning System for Land Use and Development, VAGO Audit, 2017

Victoria's 30-Year Infrastructure Strategy, Infrastructure Victoria, December 2016

Whittlesea 2040 Background Paper Final Report, SGS, February 2018

Attachment A – Gazetted Local Amendments

The following is listing of Planning Scheme Amendments that reflect the local strategic work completed or carried out since the last review.

Amendment number	Description	Date gazetted
C218	Rezones one parcel of land from the Farming Zone (FZ) to the General Residential Zone Schedule 1 (GRZ1) and amends Clause 22.03 Bushfire Management Policy.	24/05/2018
C208	Rezones part of land known as 75 OHerns Road, Epping, 115 OHerns Road, Epping and 100B Yale Drive, Epping which is covered by the Urban Floodway Zone (UFZ) to Industrial 1 Zone (IN1Z).	25/01/2018
C206	Inserts subclause 7.0 Advertising Signs into Schedule 1 of the Comprehensive Development Zone to allow for appropriate business signage on relevant land.	19/10/2017
C199	The amendment seeks to rezone land within the Urban Growth Boundary from Rural Conservation Zone to General Residential Zone	
C198	Introduce a new local planning policy on Bushfire Management into the Whittlesea Planning Scheme, and update the relevant clause within the Municipal Strategic Statement.	01/02/2018
C197	Updates the Municipal Strategic Statement (MSS) including incorporating land use content from Council adopted policies and strategies not currently included in the Whittlesea Planning Scheme	11/05/2017
C195	Removes the requirement under Schedule 10 of the Development Plan Overlay to specify a maximum floor area for office and retail uses within the Janefield Development Plan area.	14/01/2016
C194	Rezones land referred to as the Doreen Neighbourhood Activity Centre to the Mixed Use Zone, and apply a new Schedule 2 to the land.	24/03/2016
C193	Introduces an incorporated document titled 'Site Specific Control - 1435 Plenty Road, Mernda, August 2014'	16/10/2014
C190	The amendment rezones land at 115W Elation Boulevard, Doreen and 126W Orchard Road, Doreen and part of the land at 111A Elation Boulevard, Doreen from the General Residential Zone 1 to the Commercial 1 Zone to achieve a consistent zoning and land use regime for land within the River Stone Activity Centre	14/05/2015
C189	Applies the Heritage Overlay to two properties within the Peter Lalor Housing Cooperative Precinct	14/05/2015

Amendment number	Description	Date gazetted
C188	Facilitates the implementation of the Quarry Hills Precinct Structure Plan and Quarry Hills Development Contributions Plan	20/10/2016
C187	The Amendment inserts two new Incorporated Documents "Wollert Precinct Structure Plan, November 2016" and "Wollert Development Contributions Plan, November 2016" into the Whittlesea Planning Scheme and rezones the affected land to Urban Growth Zone Schedule 5 (UGZ5) to facilitate urban development; applies Special Use Zone Schedule 10 (SUZ10) to a transmission line easement; rezones parts to Rural Conservation Zone (RCZ) to protect identified biodiversity values; applies Environmental Significant Overlay Schedule 6 (ESO6) to parts of the land identified as Nature Conservation areas; applies the Incorporated Plan Overlay (IPO4 & IPO5) to parts of the land not included within the UGZ to enable implementation of the PSP; applies Public Acquisition Overlay 5 to enable widening of the existing road network; applies Land Subject to Inundation Overlay to Findons Creek corridor; applies Development Contributions Overlay Schedule 16 (DCPO16) to apply the Wollert Development Contributions Plan.	23/02/2017
C186	Amends the Cooper Street Employment Area Comprehensive Development Plan.	13/08/2014
C185	Exends the interim Design and Development Overlay Schedule 7 and Clause 22.05 - South Morang Major Activity Centre Policy for 12 months.	04/12/2014
C184	Amends various provisions of the Whittlesea Planning Scheme to rezone land to correct mapping anomalies and delete redundant maps	04/12/2014
C183	Makes a number of changes to facilitate the development and use of land within the Urban Growth Zone Schedule 4 and the Development Contributions Plan Schedule 15	18/02/2016
C182	Implements the new residential zones	09/10/2014
C181	The amendment implements the recommendations of the Residential Zones Standing Advisory Committee by applying the reformed residential zones to Whittlesea's established residential areas and making changes to the Municipal Strategic Statement of the Whittlesea Planning Scheme to implement the objectives Housing Diversity Strategy (2013-2033).	22/10/2015
C178	Translates existing floor area restrictions into relevant schedules to Urban Growth Zones (UGZ); replaces applied zones in schedules to UGZ with an equivalent reformed zone; makes other consequential changes to schedules to UGZ to implement the reformed zones; and introduces the new	01/08/2013

Amendment number	Description	Date gazetted
	General Residential Zone and Schedule 1 to the General Residential Zone into the Casey Planning Scheme.	
C177	Makes changes to improve the format and wording of the Local Planning Policy Framework, corrects a mapping anomaly and removes redundant provisions	27/03/2014
C176	Amends the Small Lot Housing Code in the Lockerbie and Lockerbie North Precinct Structure Plans to improve the flexibility of dwelling approvals by making the application of the Code optional rather than mandatory.	24/07/2014
C175	Rezone land in the Mernda Township, the Amendment also seeks to correct a number of anomalies, on land to be developed for the future Mernda Town Centre	04/05/2017
C174	Rezones 413, 415, 425, 455, 475, 481, 485 and 505A Cooper Street Epping to Industrial 1 Zone	14/05/2015
C173	Amends boundary of Special Use Zone Schedule 4 to align with property boundary at 430 Summerhill Road, Wollert and other zoning changes and amends Schedule 3 to Clause 37.01 to clarify a planning permit is not required to construct or extend one dwelling on a lot.	26/04/2013
C172	Inserts a new Incorporated Document titled Macedonian Orthodox Church, 130 Springs Road, Donnybrook, June 2013 to allow for the use and development of the land by the Macedonian Orthodox Church.	18/07/2013
C170	Rezones land at 100 Gorge Road, South Morang from LDRZ to R1Z, remove redundant DPO's and introduce DPO31 and VPO1 to the land.	27/02/2014
C169	Rezones 730 Bridge Inn Road Doreen (Ivanhoe Grammer School) from Special Use Zone 5 to Residential 1 Zone and introduces a new Development Plan Overlay	30/05/2013
C168	20(4) request by Council to extend the interim controls (local policy and DDO) for the South Morang Activity Centre to 1 October 2014.	16/05/2013
C165	Rezones land at 61D Orchard Road, Doreen from Residential 1 Zone to Business 1 Zone and Mixed Use Zone.	29/08/2013
C163	Amends Subclause 5.0 of Comprehensive Development Zone (Schedule 2) such that all land affected by zone is subject to Category 2 of Advertising Sign Requirements at Clause 52.05.	26/04/2013
C158	Implements s48 Heritage Act 1995	17/07/2014
C157	Authorisation no. A01984. Applies a Heritage Overlay to parts of the Peter Lalor Housing Estate in Lalor and amend the Schedule to Clause 81.01 to include an incorporated document in the Whittlesea Planning Scheme which details permit exemptions, a conservation policy and design guidelines.	18/12/2014

Amendment number	Description	Date gazetted
C154	Removes the Heritage Overlay (HO79) from part of the site located at 30 Harvest Road, Wollert.	18/12/2014
C153	Implements the recommendations of the Whittlesea Heritage Study by applying the Heritage Overlay to 88 sites of local significance, and amends maps and the Schedule to Clause 43.01 (Heritage Overlay) to correct anomalies and remove redundant controls.	14/05/2015
C151	Rezones land at 16 Settlement Road from Residential 1 Zone to Commercial 1 Zone. Combined amendment and permit to facilitate extension of Bundoora Square Shopping Centre.	30/01/2014
C147	Rezones land located within the Bridge Inn Road reserve, Mernda from Road Zone, Category 2 (RDZ2) to Residential 1 Zone (R1Z) and applies Schedule 5 to the Development Plan Overlay (DPO5)	25/07/2013
C146	Rezones land at 460 McDonalds Road, South Morang from Business 3 Zone to Residential 1 Zone and removes Development Plan Overlay (Schedule 7) covering the land.	09/05/2013
C141	Rezones 510&560 Findon Road and parts of 21-29 Jindabyne Avenue South Morang from Commercial 2 to General Residential Zone and applies schedule 32 to the Development Plan Overlay to 510 and 560 Findon Road.	06/02/2014
C130	Rezones land within the Epping Central Metropolitan Activity Centre (with the exception of land zoned Public Use Zone and Public Park and Recreation Zone) to the Activity Centre Zone in accordance with the Epping Central Structure Plan. The amendment updates the Municipal Strategic Statement, removes redundant controls, applies the Development Contributions Plan Overlay, Parking Overlay, Special Building Overlay, Environmental Audit Overlay, and updates references to the activity centre within the Whittlesea Planning Scheme.	19/03/2015
C123	Amends Incorporated Document Mernda Strategy Plan, 2006 (amended 2008) to designate the subject sites as residential consistent with the property zoning.	01/06/2017
C115	Rezones part of an Urban Floodway Zone to Residential 1 Zone and modifies Land Subject to Inundation Overlay to reflect updated flood mapping data for Hendersons Road Creek catchment.	19/12/2013
C093	Rezone 475 Cooper Street Epping from Urban Floodway to Special Use Zone-Schedule 4 (Extractive Industry)	28/08/2017
C090	Rezones land at 250 O'Herns Road, Epping from Farming Zone to the Comprehensive Development Zone and updates Map 1 in Urban Growth Zone (Schedule 4 - English Street PSP).	22/12/2016
C086	Affects land at 740C Bridge Inn Road, Doreen, 640 Bridge Inn Road, Mernda, Part of 115 Wilton Vale Road, South Morang. By correcting an anomaly in the Urban Growth Boundary in the	19/10/2006

Amendment number	Description	Date gazetted
	Whittlesea Planning Scheme to exclude 5.5 hectares of land currently shown inside the Urban Growth Boundary within the Plenty Gorge Parklands. The amendment also rezones the portion of land between the title boundary and the former Urban Growth Boundary for the above parcels of land to the same zone as the adjoining land as follows: a) Public Park and Recreation Zone; b) Rural Conservation Zone; c) Rural Conservation Zone.	
C084	Introduce a Development Contributions Plan Overlay over a number of properties for the purpose of funding a signalised intersection on McDonalds Road/Wealthiland Drive, South Morang.	28/03/2017
C083	Changes the location of the Urban Growth Boundary to allow for future urban growth and applies the Farming Zone to land previously zoned Rural Conservation now within the Urban Growth Boundary.	28/11/2005
C081	Rezones land in the Epping North urban growth area at Epping and Wollert from Rural Zone to Residential 1 Zone and Environmental Rural Zone; includes the Epping North East Local Structure Plan and Epping North East Local Structure Plan Development Contributions Plan in the list of incorporated documents forming part of the Scheme; applies the Development Plan Overlay, Design and Development Overlay and Development Contributions Plan Overlay to the Epping North East Local Structure Plan area; lists new heritage places within the schedule to the Heritage Overlay; amends the schedule to the public open space contributions table forming part of the Particular Provisions and provides for minor changes to the Municipal Strategic Statement, Vegetation Protection Overlay and Environmental Significance Overlay	29/08/2017
C081 (Part 2)	Rezones land within the Urban Growth Boundary at 5, 15, 25, 35, 45, 55, 65, 75, 85, 95 and 105 Harvest Home Road and 160 Epping Road, Epping from Farming Zone to Residential 1 Zone and introduces a Heritage Overlay to 45 Harvest Home Road, Epping	18/10/2007
C081 (Part 1)	Introduction of the Epping North East Local Structure Plan and Epping North East Local Structure Plan Development Contributions Plan.	26/06/2008
C080	Rezone land described as lot N on PS 510497 (No. 1075N) and Reserve No. 1 PS 442975M (No. 1070) Hazel Glen Drive, Doreen from Residential 1 to Comprehensive Development Zone 3 to reflect a revised location for the Laurimar Town	12/07/2007

Amendment number	Description	Date gazetted
	Centre and incorporate a revised Laurimar Town Centre Comprehensive Development Plan into the planning scheme.	
C079	Rezone part of the land at 226 Plenty Road Bundoora from Residential 1 Zone to Special Use Zone 3 (Janefield Technology Estate)	18/05/2006
C078	Include land at 22 Wallan Road, Whittlesea in the schedule to the Heritage Overlay in Clause 43.01 and map 6HO to protect a locally significant heritage place.	20/07/2006
C077	Apply a Public Acquisition Overlay - Schedule 2 (PAO2) to the land required to enable the future construction of the Findon Road extension between Plenty Road and Gorge Road, South Morang; delete the Development Plan Overlay - Schedule 6 (DPO6) and the Vegetation Protection Overlay - Schedule 1 (VPO1) from the land where PAO2 is applied; and insert a new Schedule to Clause 52.17 (Native Vegetation).	14/07/2011
C076	Apply the existing Development Plan Overlay Schedule 25 (DPO25) to land at 530 McDonalds Road, South Morang.	13/10/2016
C075	Rezone part of land at 490 Cooper Street, Epping from Public Use Zone 6 (Local Government) and Special Use Zone Schedule 4 (Extractive Industry) to Industrial 1 Zone and further land from Special Use Zone Schedule 4 (Extractive Industry) to Public Use Zone 6 (Local Government) to facilitate the use and development for a regional animal welfare precinct for use by the City of Whittlesea, the Royal Society for the Protection of Animals (RSPCA) and the Cat Protection Society.	6/03/2008