
9.3 DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN

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Attachments:

1. Wallara Waters - Balance of Phase 1 Development Plan and Report - Under Separate Cover
2. Assessment against DPO4 requirements - Under Separate Cover

SUMMARY

In accordance with Clause 43.04 (Development Plan Overlay) of the *Mitchell Planning Scheme*, an application for Development Plan approval has been received from Reeds Consulting on behalf of Nordic Pty Ltd and Australand Industrial No. 126. The proposed Development Plan applies to the properties of 170 Wallan-Whittlesea Road and 40 Macsfield Road, Wallan.

The proposed Development Plan seeks consent for a master planned subdivision which will comprise 365 residential allotments, linear links and improvements to the condition of Taylors Creek to establish a wetlands area.

Whilst no statutory public exhibition of the proposed Development Plan is required, notification was provided to relevant State Agencies. Public notice included signs on site for 28 days and a notice in the North Central Review on 20 February 2018. No submissions were received in response to the notification period.

Following a review of the proposed Development Plan against the relevant State and Local Planning Policies and provisions within the *Mitchell Planning Scheme*, it is recommended that the proposed Development Plan as provided at Attachment 1 (under separate cover) be approved.

RECOMMENDATION

THAT Council pursuant to Clause 43.04 Development Plan Overlay (Schedule 4) of the *Mitchell Planning Scheme*, approves the Development Plan, as provided within Attachment 1 (under separate cover) of this report.

Subject Site and Surrounding Land

The Wallara Waters Estate has a total site area of over 200 hectares. The site abuts the Hume Freeway to the west, the Hadfield Road reservation to the south (unconstructed future arterial road), the Wallan Wastewater Treatment Facility and Newbridge Estate to the east (which is then further bounded to the east by the Melbourne-Sydney Railway Line) and Wallan-Whittlesea Road to the north.

The parent properties subject to the proposed Development Plan are 170 Wallan-Whittlesea Road and 40 Macsfield Road, Wallan. The land is largely flat and free of

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

vegetation with Taylors Creek bisecting the site and running east west. Access to the Estate is provided from Wallan-Whittlesea Road via Wallara Waters Boulevard.

The site is located within the Urban Growth Boundary and the North Growth Corridor Plan designates this land as Existing Urban to reflect the site being in the Mixed-Use Zone. The abutting land to the south is within the future Precinct Structure Plan area of Beveridge North East and the land on the eastern side of the railway line is identified as an investigation area for the future Beveridge Interstate Freight Terminal.

Relevant Planning History

The Wallara Waters Estate has had an extensive and complicated planning history. This Estate is one of the largest developments in Wallan and will play an important role in providing housing supply which is in close proximity to key transport corridors including the Hume Freeway and the Wallan Railway Station.

The following is a high-level summary of the planning history and should be read in conjunction with *Figure 1*:

- The land referred to as the Wallara Waters Estate was rezoned to the Mixed-Use Zone prior to the introduction of the new format planning schemes across Victoria in 1997.
- The current development plan for “Phase 1” was approved on 15 June 2010 identifying the development of 600 residential lots. This plan also created separate development plan areas being the “Balance of Phase 1”, “Phase 2” and neighbourhood activity centre development areas.
- Planning Permit No PLA303767/04 allows subdivision of the land into 600 residential allotments within the “Phase 1” development plan area.
- The activity centre development was approved on 6 October 2011 that will allow for future commercial uses and provide for community uses, including a medical centre and childcare centre.
- The “Balance of Phase 1” and “Phase 2” areas comprise of approximately 130 hectares of undeveloped land. A development plan has not been approved for these areas.
- At full development, the Wallara Waters Estate could accommodate over 1,700 residential allotments and have a population of over 5,000 people.
- Combined with the Newbridge development to the east, the Wallan East area could accommodate in the order of 2,500 lots with a total population of approximately 7,500 people.

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

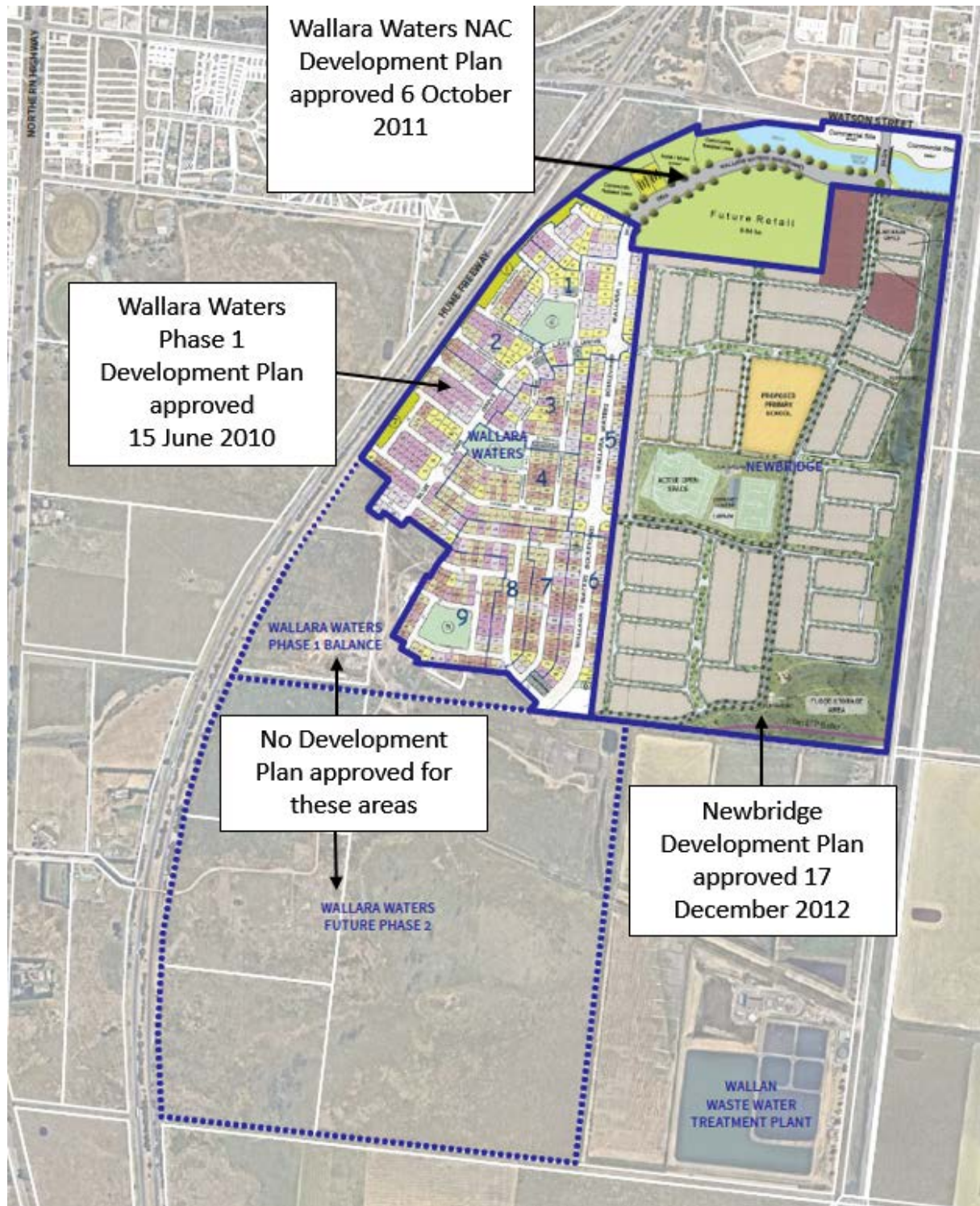


Figure 1 – Map of Wallan East and current Development Plan areas

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

Proposed Development Plan

The proposed Development Plan (Attachment 1 under separate cover) will provide a master planned subdivision that will accommodate an additional 365 residential allotments. The "Balance of Phase 1" land comprises a total area of 40.5 hectares which will provide for the following:

- 26.4 hectares of net developable land (for residential purposes) which will accommodate 365 residential allotments at a dwelling density of 13.8 allotments per net developable hectare (average lot size of 469 square metres).
- 11.8 hectares of land is required for drainage reserves including land either side of Taylors Creek which is a tributary of the Merri Creek.
- 1.3 hectares of unencumbered reserves which provide linear links across the development.

The proposed Development Plan includes a planning assessment report and the following background technical documents:

- Traffic Impact Assessment, GTA Consultants, 21 December 2017
- Community Infrastructure Assessment, ASR Research, 23 January 2018
- Landscape Master Plan, Group GSA, 19 December 2017
- Ecological (Flora and Fauna) Assessment, PKA, 14 April 2017
- Preliminary Salinity and Hydrogeological Assessment, Environmental Earth Services, April 2017
- Drainage/Water Quality Strategy Plan, Reeds Consulting, October 2017

The Development Plan also seeks to consolidate the areas known as "Phase 1" and the "Balance of Phase 1". This component is administrative in nature as the "Phase 1" area has largely been constructed and has existing approvals, however, this component will result in a clearer planning framework.

ISSUES AND DISCUSSION

Open Space and Community Facilities

Prior to development commencing in the Wallara Waters Estate, an agreement was entered into by the landowner, VicRoads and Council on 9 October 2009 pursuant to section 173 of the *Planning and Environment Act 1987* (Section 173 AG804301F). This agreement, amongst other things, identified agreed development contributions

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

towards open space and community infrastructure. The agreed contributions are as follows:

- Provision of public open space will equate to 8% of the total area of land and in accordance with an open space plan prepared in 2008.
- The agreement also outlines that encumbered open space must have only half its actual land area calculated to the total open space area.
- Community Development Levy of \$500 per residential lot.

Within the existing S173 Agreement it states that *any Public Open Space which is Encumbered Public Open Space must have only half of its actual land area attributed to the calculation of the total Public Open Space required to be provided under this Agreement*. Although this approach would not be accepted by today's standards, this development plan applies the open space required as per the existing agreement. The applicant does not propose to amend the existing agreement and arrangements in place for the delivery of public open space.

With regard to the spatial distribution of open space, the majority of residential allotments will be within 400 metres walking distance of an open space reserve. With the additional 365 residential allotments proposed, and in addition to the open space requirements, the Balance of Phase 1 area will result in the collection of \$182,500 for community infrastructure (\$500 per lot).

Phase 2 Land

The proposed Development Plan provides an indicative layout for Phase 2 which will be subject to a future development plan assessment. This is provided for context only. This area includes potential for an active open space reserve (junior sporting oval) within the drainage reserve that has in-principle support from Melbourne Water. Additional technical advice from drainage consultants have indicated that the land could be suitable for this use.

Based on approximately 46 hectares of developable land within the Phase 2 area, the likely future residential yield in this location could be in the order of 700 lots however, this will be subject to a separate development plan approval process. The final quantum of residential lots in Phase 2 will be based on further planning approvals and market conditions.

Transport Network

The Traffic Impact Assessment Report (TIAR) submitted with the proposal anticipates an additional 317 peak hour vehicle movements (AM and PM peak hour combined) and an additional 2,150 daily vehicle movements will be generated as a result of the

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

additional residential allotments. The TIAR identifies that there is adequate capacity in the existing road network to accommodate the additional traffic to be generated.

The proposed Development Plan will provide the following key road links:

- Extend Wallara Waters Boulevard to the south.
- Extend Blue Lake Drive (connector street) to the south and provide an edge road along the Taylors Creek interface.
- Three (3) road connections into Newbridge Estate that will provide accessibility to future services and facilities.

Additionally, two future links are shown on the plan that will provide additional access/egress into Wallan East from the arterial road network. These future links will provide residents with more than one way out of the development which will improve the safety and functionality of the surrounding road network. These links are summarised below:

Southern Access Link

The future Southern Access Link is a 2-lane connector road that will be in the general vicinity of the existing Macsfield Road alignment that provides for the construction of a bridge across the Hume Freeway and construction of a signalised intersection at the Northern Highway / Macsfield Road intersection.

The owner, VicRoads and Council entered into an agreement in August 2017 (Section 173 AQ622691) requiring the owner to construct and complete the Southern Access Link, at their own cost, to the satisfaction of VicRoads prior to the issue of a Statement of Compliance for the 871st proposed residential lot within Wallara Waters.

There is existing planning permission within the Wallara Waters Estate that will deliver 600 residential lots. The proposed Development Plan for the "Balance of Phase 1" area will result in an additional 365 residential lots (965 residential lots). The proposed Development Plan will trigger the requirement for the Southern Access Link after 270 residential lots have been delivered. The table below provides a summary:

Development Plan area / Southern Access Link trigger	Status	Number of residential lots
Phase 1	Approved – 15 June 2010	600 (approximately 450 titles have been issued at the time of writing)
Balance of Phase 1	Proposed / under consideration	365
Southern Access Link	Required as per Section 173 Agreement	Prior to 871

Table 1 – Summary of development plan areas / Southern Access Link trigger and number of residential lots.

The agreement also includes a security bond that will be provided to VicRoads prior to Statement of Compliance for each plan of subdivision above the combined total of 552

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

residential lots. This contribution, as described in the agreement, equates to \$8,233 per residential lot and results in a security bond to the value of approximately \$2.6m. The security bond will only be released to the owner if the following occurs:

- a) Construction of the Southern Access Link commences by 1 November 2024; and
- b) Construction of the Southern Access Link is completed to the satisfaction of VicRoads by 1 November 2026.

Hadfield Road

Hadfield Road will be a future east-west arterial road with the alignment forming the southern boundary of the Wallara Waters Estate. No concept plans or delivery timeframes have been identified at this stage. The delivery of this road would be the responsibility of VicRoads and the North Growth Corridor Plan identifies this road as being included within the Principal Freight Network. There may be scope for collecting development contributions towards delivery of this road during the preparation and implementation of surrounding Precinct Structure Plans in the future, which include Beveridge North East, Beveridge North West and Wallan South.

CONSULTATION

There is no statutory requirement for public notification of a development plan under the *Planning and Environment Act 1987* and the provisions of the *Mitchell Planning Scheme*.

Council officers deemed it appropriate to undertake informal consultation which involved notifying referral authorities and service providers. Notice was provided from 20 February 2018 until 22 March 2018 and involved the display of five (5) notice signs across the Wallara Waters Estate and a public notice appearing in the North Central Review on 20 February 2018.

No submissions were received as a result of the public notification process. Should Council resolve to approve the proposed Development Plan, the provisions of the Development Plan Overlay (Clause 43.04) of the *Mitchell Planning Scheme* would exempt any future planning permit application for subdivision from public exhibition, subject to the application being generally in accordance with the approved Development Plan.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Population growth can create additional demand for the service which Council provides. As the population of Wallan continues to grow, it is vital that Council plan for service provision accordingly.

Financial contributions will be collected through the Community Development Levy in accordance with the existing section 173 Agreement (AG804301F) entered into on 9 October 2009. The contributions to be collected for community infrastructure from the

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

Balance of Phase 1 area will be \$182,500 which is discussed in further detail within the Issues and Discussion section of this report.

POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan

The proposed Development Plan is generally consistent with the strategic objective of responsible planning and the following key strategies within the Council Plan 2017-2021:

Strategic Objective: *To demand best practice outcomes when planning for future growth.*

Key Strategies: 3.1 – Plan for growth and change through best practice design of services, infrastructure, open space and recreation facilities.

3.2 – Plan for a diversity of housing and households.

State Planning Policy Framework

The following Clauses within the State Planning Policy Framework (SPPF) are considered relevant to this proposal:

- Clause 11 – Settlement
- Clause 15 – Built Environment and Heritage
- Clause 16 – Housing
- Clause 19 - Infrastructure

The proposed Development Plan is consistent with the relevant SPPF and will deliver on the State's vision to encourage population growth as identified in *Plan Melbourne 2017-2050: Metropolitan Planning Strategy* and will facilitate additional residential development close to public transport networks.

Local Planning Policy Framework

The following Clauses within the State Planning Policy Framework (SPPF) are considered relevant to this proposal:

- Clause 21.02 - Settlement
- Clause 21.06 – Built Environment and Heritage
- Clause 21.07 – Housing
- Clause 21.10 – Infrastructure
- Clause 21.11-9 - Wallan

The proposed Development Plan is consistent with the relevant LPPF and the Wallan Structure Plan. The residential development provides a diversity of housing types

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

which will be within close proximity to existing / future services, open space and public transport linkages.

Mixed Use Zone

The subject site is located within the Mixed-Use Zone and the purpose of this includes (but is not excluded to) the following:

- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.

The proposed Development Plan is consistent with the intent of the Mixed-Use Zone. The proposed subdivision density is consistent with the existing residential development being delivered in Wallara Waters (within the Phase 1 area) and will deliver a similar product to the establishing character of the area. There are variations in lot sizes, particularly around the interface of Taylors Creek, which will provide for a diversity of housing types.

Overlays

- Development Plan Overlay – Schedule 4 (Wallan) applies to the entire site. An assessment against the requirements of this overlay is provided at Attachment 2.
- Vegetation Protection Overlay – Schedule 2 (Freeway Environs Protection) – applies to land approximately 100m either side of the Hume Freeway. The proposed Development Plan includes an encumbered reserve along the length of the Hume Freeway which enables vegetation planting and a shared path network which is considered consistent with the objectives of this overlay.
- Floodway Overlay – applies to Taylors Creek with approximately 40m of land either side of Taylors Creek. Land Subject to Inundation Overlay – applies to a large extent of the eastern portion of the site. The Drainage Strategy Plans submitted with the proposal identify measures to address flood mitigation and water quality treatment which have been approved by Melbourne Water.

Particular Provisions (Clause 56)

The Development Plan Overlay requires that residential subdivision in the Mixed Use Zone must meet the requirements of Clause 56 as specified in the zone. A detailed assessment of the proposed Development Plan against the requirements within Clause 56 will be undertaken as part of a future planning permit application.

The proposed Development Plan was submitted with a planning report that included an assessment against Clause 56. The information submitted is considered sufficient to demonstrate the ability for future planning permit applications to be assessed

DEVELOPMENT PLAN ASSESSMENT - WALLARA WATERS ESTATE, 170 WALLAN-WHITTLESEA ROAD, WALLAN (CONT.)

against the requirements of Clause 56 and that the proposed Development Plan generally meets the relevant objectives.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The proposed Development Plan has been referred to VicRoads, Melbourne Water, Yarra Valley Water, EPA, CFA, APA Group and AusNet. None of these State Agencies/service providers raised concerns with the proposed Development Plan.

The proposed residential development cannot occur without first obtaining a planning permit for subdivision. The planning permit application will involve detailed consideration of key environmental features such as water sensitive urban design along Taylors Creek and construction management impacts. The Taylors Creek East Drainage Scheme has also been approved by Melbourne Water and will assist in determining the drainage requirements as part of the development.

The proposed Development Plan has been assessed against Clause 56 (Residential Subdivision) of the *Mitchell Planning Scheme* which includes various environment and sustainability considerations.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

In accordance with the requirements at Schedule 4 to the Development Plan Overlay within the *Mitchell Planning Scheme*, a Development Plan proposal has been lodged to enable further residential allotments within the Wallara Waters Estate and on land at 170 Wallan-Whittlesea Road and 40 Macsfield Road, Wallan.

Following consideration of the agency responses, the relevant State and Local Planning Policies and provisions within the *Mitchell Planning Scheme*, it is recommended that Council resolve to approve the proposed Development Plan for the area identified as 'Balance of Phase 1'.