

**12.10 AMENDMENT C172 - PROPOSAL TO AMEND THE DIGGERS REST
DEVELOPMENT CONTRIBUTIONS PLAN**

Author: Claire Bickerstaff- Senior Major Developments Planner
Presenter: Bob Baggio- Manager Planning Services

PURPOSE OF REPORT

To consider a request to amend the Melton Planning Scheme by amending Schedule 5 to the Development Contributions Plan Overlay and the Diggers Rest Precinct Structure Plan and Development Contributions Plan, which are incorporated documents in Clause 81.01 of the Planning Scheme.

RECOMMENDATION:

That Council:

1. Seek authorisation for Amendment C172 - Proposal to amend the Diggers Rest Development Contributions Plan, in accordance with the requirements of the *Planning and Environment Act 1987*.
2. After authorisation, exhibit the Amendment in accordance with the requirements of the *Planning and Environment Act 1897*.

Crs Turner/Carli. That the recommendation be adopted.

CARRIED

REPORT**1. Background****Executive Summary**

A request has been made from WBCM on behalf of the land owner at 87-193 Davis Road, Diggers Rest, seeking Council support to amend the Melton Planning Scheme by amending Schedule 5 to the Development Contributions Plan Overlay and the 'Diggers Rest Development Contributions Plan' and 'Diggers Rest Precinct Structure Plan' which are incorporated documents in Clause 81.01.

The amendment would revise the number of projects in the Diggers Rest Development Contributions Plan (DCP) as follows:

- Delete project RD01 – Freeway On Ramp
- Delete project IT01 – Vineyard Road/Davis Road intersection
- Delete RD01 – land acquisition
- Delete IT06 – land acquisition
- Revise scope and cost of project IT06 – Davis Road/on ramp intersection

The changes are the result of a revised design which is supported by VicRoads – the road manager responsible for Vineyard Road and the freeway on-ramp.

The changes in the projects will result in an overall saving to the DCP of approximately \$6,213,647 (at July 2015 dollars).

MINUTES OF THE ORDINARY MEETING OF COUNCIL

2 MAY 2016

It is therefore recommended that Council seek authorisation from the Minister for Planning, and upon authorisation, exhibit the amendment.

The Land and Surrounding Area

The area is within the Diggers Rest Precinct Structure Plan (PSP). It is located at the eastern leg of Davis Road, and where Vineyard Road joins the Calder Freeway outbound ramp.

The surrounding area to the immediate south is currently being developed as part of the Bloomdale residential estate.

Refer to **Appendix 1** and **Appendix 2** for a locality plan

The Amendment

It is proposed to amend the documents relating to the Diggers Rest Precinct Structure Plan – incorporated documents and Planning Scheme Ordinance, to introduce a revised project list and costs.

The Amendment specifically proposes to:

- Delete project RD01 – Freeway On Ramp
- Delete project IT01 – Vineyard Road/Davis Road intersection
- Delete RD01 – land acquisition
- Delete IT06 – land acquisition
- Revise scope and cost of project IT06 – Davis Road/on ramp intersection

In support of the request, the proponent has submitted a planning report that states:

'The restructured roadworks will achieve an enhanced infrastructure outcome for the locality, facilitate savings to the community and provide an improved outcome for Diggers Rest'.

The deletion of projects RD01 and IT01 is a result of a re-design of IT06. A similar access arrangement can be delivered without the need to upgrade the existing on ramp and create a new intersection at Vineyard & Davis Roads.

The deletion of the land acquisition projects is a result of the re-design, which accommodates all new works within the existing road reserve, therefore not requiring any land acquisition from private property.

VicRoads is the responsible road authority and supports the proposed Amendment.

Refer to **Appendix 3** and **Appendix 4** for the amendment plan and an extract from the Diggers Rest DCP.

Planning History

A Planning Permit (PA2012/3840) was issued on 29 October 2013 for the subdivision of the land at 87-193 Davis Road into 215 residential lots. It is the owner of that land who has proposed the Amendment.

The Planning Permit includes conditions requiring the developer to construct projects IT06, RD01 and IT01 (as described in the executive summary above) as 'works-in-kind', which will offset their development contributions obligations. These works are not within the site at 87-193 Davis Road; they are within the existing road reserve which is managed by VicRoads.

The works are required to upgrade the existing arrangements to provide safe access to the development site for a residential subdivision.

In planning for the delivery of the projects, the developer has designed an alternative solution that will provide the same outcome, which is a safe and efficient road network around the freeway on-ramp.

2. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City

1.5 Support a transport system that connects and moves our community

3. Financial Considerations

Council officer time and resources are involved in the preparation, exhibition and adoption of the amendment however statutory fees are required from the proponent to assist in defraying these costs.

4. Consultation/Public Submissions

Public notification of the application

Exhibition of the amendment will involve notice:

- To land owners and occupiers, and Government bodies, who may be materially affected by the amendment. This would include VicRoads, Public Transport Victoria, and the Metropolitan Planning Authority.
- In a local newspaper circulating in the area, on Council's website, and in the Victorian Government Gazette.

5. Issues

Strategic assessment of the proposal

In line with the *Strategic Assessment Guidelines for Planning Scheme Amendments* (August 2004), prepared by the State Government, every Planning Scheme Amendment should be strategically supported and maintain or develop the strategic focus of the Planning Scheme. It is necessary to determine whether any amendment supports or implements the State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF) of the Planning Scheme. Further, Council must determine whether the outcome of the amendment will have any consequences in terms of the Planning Scheme's directions, useability and transparency.

The proposed Amendment is consistent with the relevant provisions of the SPPF and LPPF, in particular:

Clause 19.03-1 Development contributions plans

The objective is to facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans.

Clause 22.07 Transport and movement policy

The objective is to provide a road network that meets the needs of users at a minimal cost to Council, the community and the environment.

Transport Integration Act 2010

The proposed Amendment will not create a significant impact on the existing transport system as defined by Section 3 of the Act.

Response

The Amendment will allow the timely provision of key road infrastructure which will facilitate development in the western half of the Diggers Rest Precinct Structure Plan. Development in these locations cannot occur without an upgrade to existing road and intersections.

MINUTES OF THE ORDINARY MEETING OF COUNCIL

2 MAY 2016

The revised project designs achieve the objectives within the original PSP, at a lower cost.

Referrals

Council's Engineering Department commented that the road authority responsible for the area subject to the Amendment is VicRoads, and therefore final approval of the design is a VicRoads' responsibility.

VicRoads have provided a letter of support for the proposed Planning Scheme Amendment (dated 29 February 2016).

Council's Engineering Department did not have any specific concerns with the proposed design of the road network.

6. Options

Council can resolve to either:

- seek authorisation from the Minister for Planning, or
- not proceed with the amendment.

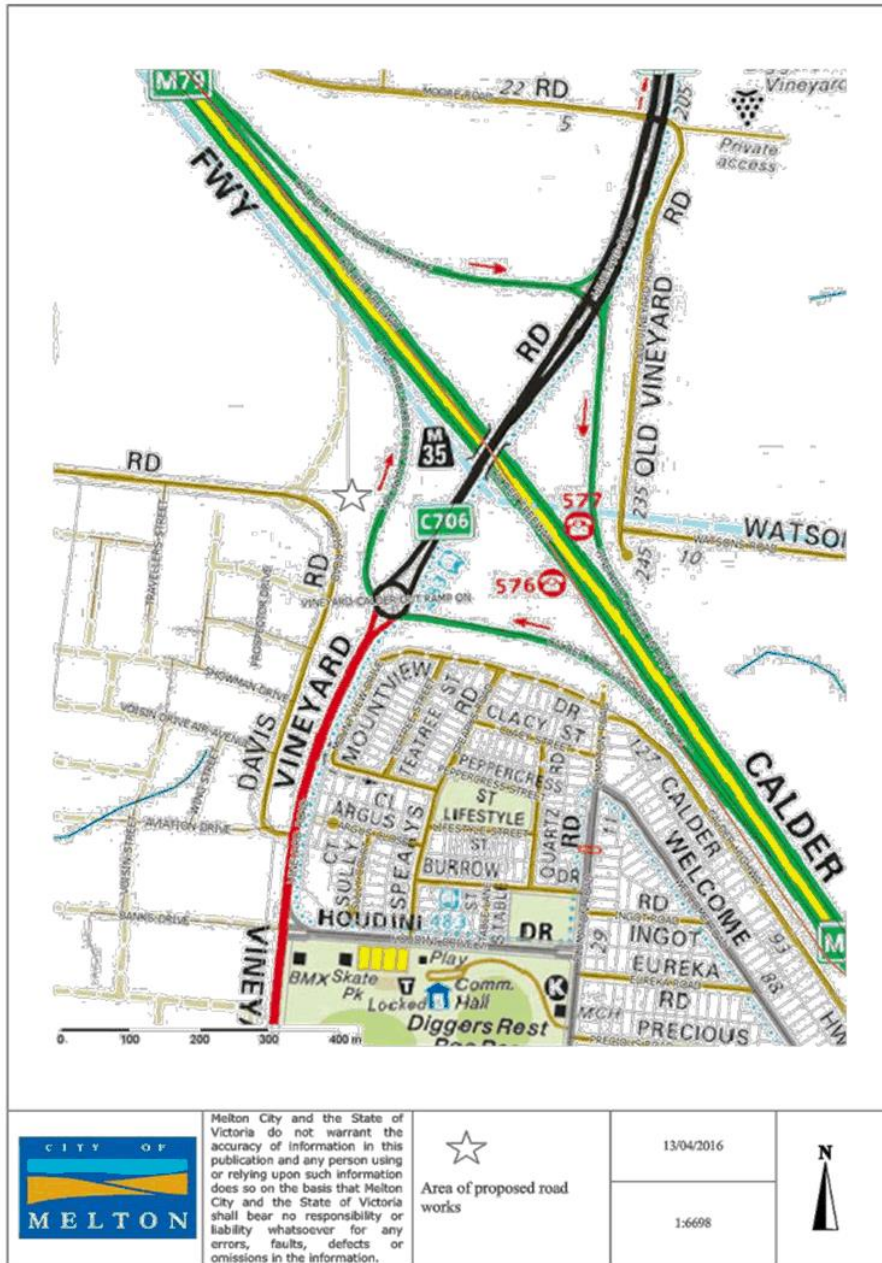
7. Conclusion

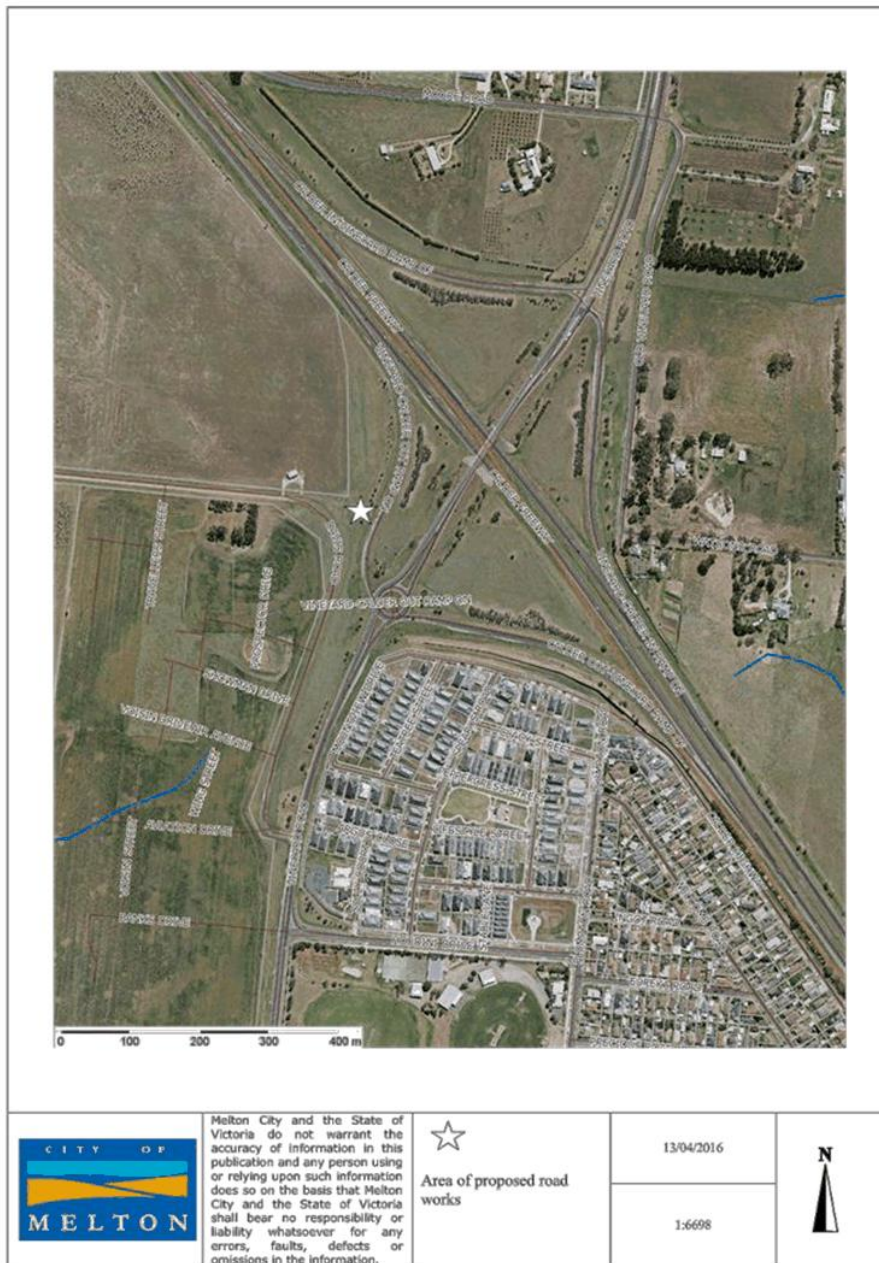
The proposed amendment is considered to be consistent with the Melton Planning Scheme and the *Strategic Assessment Guidelines for Planning Scheme Amendments*.

It is therefore recommended that the authorisation be sought for the amendment in accordance with the requirements of the *Planning and Environment Act 1987*, and it subsequently be exhibited in accordance with the Act.

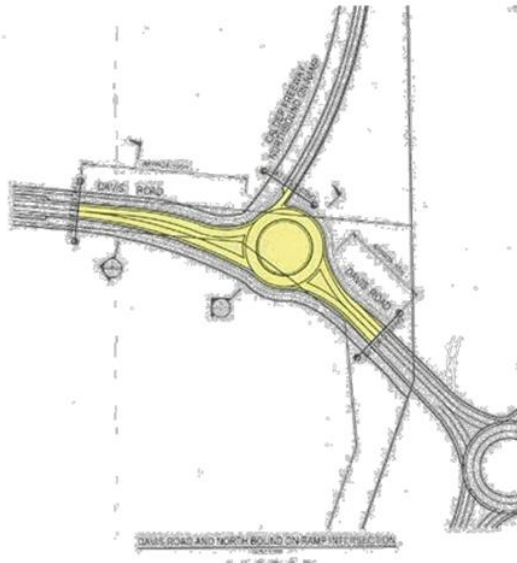
LIST OF APPENDICES

1. Locality Plan - Melways
2. Locality Plan - Aerial
3. Detailed layout Plan
4. Extract from Diggers Rest DCP





Approved DCP project design



Proposed Amendment to DCP project design

