

WYNDHAM PLANNING SCHEME

AMENDMENT C263wynd

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Wyndham City Council, which is the planning authority for this amendment.

The amendment has been made at the request of Wyndham City Council.

Land affected by the amendment

The amendment applies to seven individual properties (shaded in red), generally along Leakes Road and Palmers Road in Figure 1. These properties are collectively referred to as “Industrial Park B” in the Truganina Employment Precinct Structure Plan (VPA, 2009).

The affected properties are as follows:

- 29 Prosperity Street, Truganina 3029
- 33 Prosperity Street, Truganina 3029
- 8 Perpetual Street, Truganina 3029
- 203 Palmers Road, Truganina 3029 (formerly 30 Perpetual Street)
- 200 Palmers Road, Truganina 3029
- 211 Leakes Road, Truganina 3029
- 20 Palmers Road, Truganina 3029

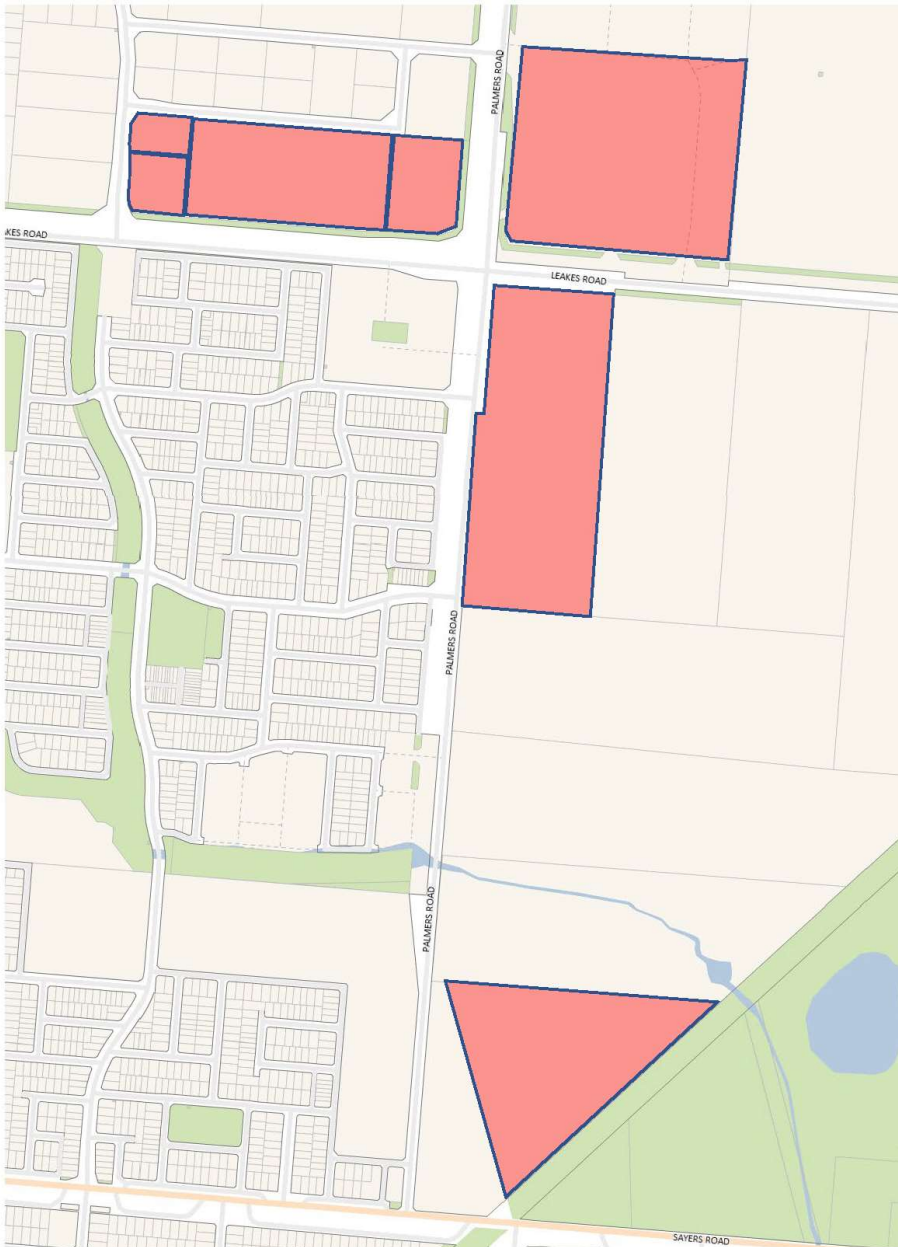


Figure 1 – Affected land within Truganina Employment PSP

What the amendment does

The amendment seeks to update Schedule 2 of the Urban Growth Zone which applies to land within 'Industrial Park B' of the Truganina Employment PSP. The proposed update to the schedule will allow Council to make assessments of uses that currently do not require permit approval, allowing consideration of the cumulative impacts of such proposals and their appropriateness in an industrially focussed PSP.

The Amendment will replace Schedule 2 of Clause 37.07-2.

Strategic assessment of the amendment

Why is the amendment required?

The Truganina Employment PSP is a plan for a new employment area of approximately 662 hectares. This PSP aims to bring between 10,000-15,000 new jobs to the region. It proposes a high quality industrial area and was approved by the Minister for Planning in December 2009 through Amendment C124 to the Planning Scheme.

The intent (vision) of the Truganina Employment PSP is “to provide diverse employment opportunities for Wyndham and the western region of Melbourne by establishing a thriving industrial employment precinct that extends the West Industrial Node and provides for a wide range of businesses and jobs. The precinct will comprise of quality industrial park developments with a transport logistics bias, and have strong links to industrial activity centres and future higher order services.”

The PSP is being undermined due to the applied zoning in the Industrial Park B area of the PSP. The original applied zoning of the Industrial Park B area was Business 3 Zone (B3Z), then as part of PSA VC100, gazetted 15 July 2013 by the State Government, the B3Z was deleted and replaced by the newly introduced Clause 34.02 – Commercial 2 Zone (C2Z).

The intention of changing the zoning was to provide greater flexibility and growth opportunities and to allow for a wider range of uses to support mixed use employment. These outcomes may have been appropriate in an activity centre or town centre context, but have led to unintended consequences in a primarily industrial land use context.

The proposed update of the Schedule will allow planning officers to make assessments of uses that currently do not require permit approval, allowing consideration of the cumulative impacts of such proposals and their appropriateness in an industrially focused PSP. It would also prohibit any uses which do not align with the vision and intent of the PSP. The updated schedule will require applicants for certain uses (restricted retail premises and take away premises) to apply for a planning permit. It will also prohibit certain uses within Industrial Park B. These uses will be prohibited as they do not align with the vision and intent of the Truganina Employment PSP.

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

The amendment supports of the objectives of planning in Victoria and is necessary to implement the following objectives:

- To provide for the fair, orderly, economic and sustainable use, and development of land

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

The Amendment will have no adverse environmental effects. The subject land does not contain any native vegetation or other identified elements of environmental significance.

The Amendment could have a positive effect on the vitality and viability of existing retail centres within the municipality. The Amendment will seek to improve the implementation of the PSP and align the resulting development and land uses more closely with the industrial intent of the PSP.

The Amendment could result in the concentration and agglomeration of uses in preferred locations. It also makes planning for transport infrastructure and services more effective and reinforces rather than undermines preferred transport networks. The dispersal of non-industrial uses into industrial precincts disperses activity in a manner that is counter-productive and will result in increased vehicular movements across the city adding to already significant levels of traffic congestion.

Does the amendment address relevant bushfire risk?

No bushfire risk has been identified in relation to the proposed Amendment. The land affected by the Amendment is not contained within the Bushfire Management Overlay.

Does the amendment comply with the requirements of any Minister’s Direction applicable to the amendment?

Section 12(2)(a) of the Planning and Environment Act 1987 requires that in preparing a planning scheme amendment, a planning authority must have regard to the Minister’s Directions. The following Minister’s directions are relevant to this amendment:

Ministerial Direction – The Form and Content of Planning Schemes

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987.

Direction No. 9 Metropolitan Strategy

The amendment is consistent with *Ministerial Direction No.9 Metropolitan Strategy* which seeks to ensure that planning scheme amendments have regard to the *Metropolitan Planning Strategy. Plan Melbourne 2017-2050* seeks to provide a productive City that attracts investment, supports innovation and creates jobs.

The amendment is consistent with Direction 1.1 to create a city structure that strengthens Melbourne's competitiveness for jobs and investment. The amendment supports the implementation of Plan Melbourne 2017-2050 by supporting the productive use of land and preventing further development of incompatible land uses within industrial precincts.

Direction No. 11 Strategic Assessment of Amendments

The amendment has been prepared having regard to Direction No. 11 Strategic Assessment of Amendments and Planning Practice Note 46: Strategic Assessment Guidelines.

Direction No. 18 Victorian Planning Authority Advice on Planning Scheme Amendments

The VPA has reviewed the proposed Amendment to the Schedule with respect to the guidance on the expected form of development of Industrial Park B within Truganina Employment PSP. VPA are supportive of the Amendment and consider the proposed Schedule to be consistent with the PSP's vision and intent for Industrial Park B. VPA also acknowledge that the proposed amendment will assist Council in regulating development that is consistent with the outcomes of the PSP.

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

The amendment complies with the Planning Policy Framework, with note:

Melbourne Industrial and Commercial Land Use Plan (April 2020)

The *Melbourne Industrial and Commercial Land Use Plan* builds on the relevant policies and actions of Plan Melbourne 2017-2050 and its associated Plan Melbourne 2017-2050 Five-Year Implementation Plan. The Plan seeks to retain and protect land identified for strategic long-term growth for its intended purposes. It also seeks to ensure that industrial areas support their intended function and user needs.

The Western Industrial Precinct is recognised as a state significant industrial precinct. State significant Industrial precincts provide strategically located land for major industrial development links to the Principal Freight Network and transport gateways. The *Melbourne Industrial and Commercial Land Use Plan* outlines that they must be protected from incompatible land uses to allow for continual growth in freight, logistics and manufacturing investment.

Clause 11.03-1S

The amendment supports the objective of encouraging the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

Clause 17.03S

State Planning Policy Framework supports future Industrial Development. *Clause 17.03-2S Sustainable Industry* includes the following strategies:

- *Protect industrial activity in industrial zones from the encroachment of commercial, residential and other sensitive uses that would adversely affect industry viability.*

At Clause 17.02-3 State significant industrial land strategies include:

- *Protect state significant industrial land from incompatible land uses to allow for future growth. State significant industrial precincts include but are not limited to:*
 - *Western Industrial Precinct - Laverton North and Derrimut.*

How does the amendment support or implement the Municipal Planning Strategy?

This amendment is consistent with the vision and strategic directions at Clause 02 of the Wyndham Planning Scheme, in particular:

Clause 02.02 Vision

The proposed amendment supports Wyndham City Council's planning vision for a healthy, liveable city that:

- *Is future-focused and plans for sustainable development.*
- *Consists of connected, vibrant neighbourhoods that provide for the cultural, social, economic and recreational needs of the community.*

Clause 02.03-1 Settlement

This amendment supports the strategic directions around land use and development in urban growth areas, in particular:

- *Protect industrial and residential activities from encroaching on each other.*
- *Providing jobs closer to where people live especially in the new employment corridor.*

Clause 02.03-7 Economic development – Industry

The proposed amendment is consistent with use and development of land within Truganina Employment PSP and its designation as a major industrial precinct in the west of Melbourne.

Council's strategic directions for industry are to:

- *Protect industrial precincts from intrusion by inappropriate land uses that put pressure on lawful existing industrial activities.*
- *Encourage the growth of Laverton North and the Truganina employment precinct for industrial development.*

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

The amendment makes proper use of the Victorian Planning Provisions by applying appropriate land uses and controls to key parcels of land within the Truganina Employment PSP. The Amendment is consistent with the Minister's Directions on the Form and Content of Planning Schemes.

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

Views of relevant agencies will be sought during the exhibition process.

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

The Amendment is not anticipated to have a significant impact on the transport system as it will not modify the physical, service, labour or management components of the existing system.

Resource and administrative costs

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

The proposed Amendment will have minimal impact on Council's resource and administrative costs. The proposed Amendment is not expected to increase the number of planning applications associated with the subject site to a significant extent. No additional staff resources will be required because of the implementation of this Amendment.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Wyndham City Council website at <https://www.wyndham.vic.gov.au/>

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

Wyndham City Council

Civic Centre

45 Princes Highway

Werribee VIC 3030

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by Thursday 10 November 2022.

A submission must be sent to:

Wyndham City Council

Strategic Planning Department

Civic Centre

45 Princes Highway

Werribee VIC 3030

OR

mail@wyndham.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 6 February 2023
- panel hearing: 6 March 2023