



TRARALGON NORTH REZONING

**Proposed Planning Scheme Amendment
Rezoning of Land at 50 Glendale Road, 110A Marshalls Road and Lot B Traralgon-
Maffra Road (The Rise), Traralgon**

Latrobe City Council

June 2018 (Amended October 2019)

Prepared by the NBA Group

on behalf of Marshalls Road Pty Ltd & Gippsland Development Group Pty Ltd

Reference: 21783/3.1 Version: 3

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1 Introduction & Executive Summary

The NBA Group has been requested by the proponents to prepare a submission in support of a proposal to amend the Latrobe Planning Scheme. The amendment seeks to rezone approximately 3.66 hectares of land situated to the north of the Traralgon North Development Plan Area from *Farming Zone (FZ)* to *General Residential Zone – Schedule 1 (GRZ1)* and apply the *Development Plan Overlay – Schedule 7 (DPO7)*.

The land affected by the proposal is contained within the certificates of title included in Appendix 1, and includes the following parcels of land which are owned by the proponents:

- **Lot 1 on Plan of Subdivision PS329021;**
- **Lot 2 on Plan of Subdivision PS329021; and**
- **Lot B on Plan of Subdivision PS729261.**

The intention is to amend the Latrobe Planning Scheme to rezone parts of the subject titles to provide for future residential growth to the north of the Traralgon North Development Plan (TNDP).

Development of the TNDP area has stalled as a result of high development costs associated with the provision of essential infrastructure. A detailed analysis of the TNDP area, the infrastructure required to deliver lots and the applicable planning provisions has identified a solution whereby fully serviceable and accessible land on the north side of TNDP provides residential opportunity that will add value to the development of land within the TNDP area, see the provision of the required infrastructure and development of the entire precinct.

This planning scheme amendment seeks to implement, the objectives of the Traralgon Township Structure Plan whereby future growth is to be directed to the north east of Traralgon. Strategic reviews have identified constraints to growth in other directions in Traralgon and as such growth to the north east is considered preferable and logical.

This application responds to expert analysis provided throughout the course of the preparation of this documentation. It is a comprehensive submission that has been informed by consultation with various stakeholders, and in particular the Latrobe City Council Planning, and Engineering Departments, ESSO, DELWP and neighbouring land owners. This submission justifies the rezoning in accordance with Council's indicated strategic vision for the area and is considered to be in accordance with the Latrobe Planning Scheme.

This planning scheme amendment has been prepared in line with *Planning & Practice Note 46: Strategic Assessment Guidelines for preparing and evaluation planning scheme amendments* as discussed in this report.

1.1 Supporting Documentation

Appendix 1	Certificates of Title Volume 11555 Folio 028 Volume 10150 Folio 467 Volume 10150 Folio 468
Appendix 2	Site Context Plans NBA Group in consultation with Millar Merrigan Reference 21783P1_A 2 sheets & 21783P1_B 2 sheets
Appendix 3	Amendment Pack Documentation NBA Group in consultation with Millar Merrigan
Appendix 4	Potential Future Subdivision Plans NBA Group in consultation with Millar Merrigan

2 Site & Context Description

The following section of this report provides a description of the relevant site features. This should be read in conjunction with attached Site and Context Plans.

2.1 Site Context

The subject land is located on the northern outskirts of Traralgon. Traralgon is Latrobe Valley's largest town and it is strategically located on the Princes Freeway approximately 160 kilometres east of Melbourne.

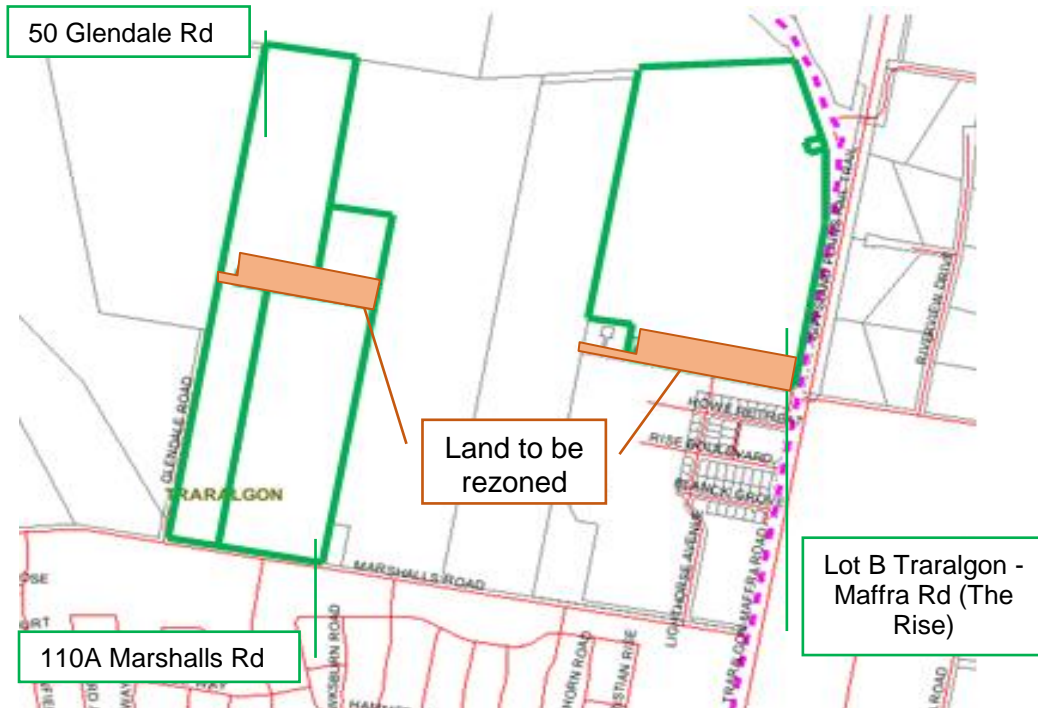
The subject land is made up of three allotments, all of which are in the ownership/being purchased by the applicant. Each of the lots are located on the north side of Marshalls Road and whilst the allotments are each in excess of 16ha, the land to be rezoned comprises a small portion of the lots.

The land is identified on the Regional and Local Context Plans at Figures 1 and 2 below.

Figure 1: Regional Context Plan



Figure 2: Local Context Plan



2.2 Traralgon North Development Plan

The Traralgon North Development Plan (TNDP) is a Latrobe City approved Development Plan that applies to almost 119 hectares of residential land on the northern side of Marshalls Road.

The land subject to this rezoning sits immediately north of the TNDP.

Figure 3: Approved Traralgon North Development Plan



Development of land within the TNDP has occurred as follows:

- The Rise (corner of Marshalls road and Traralgon Maffra Road):
 - **2014/42 permit:** Two lot subdivision separating residentially zoned land from farming zoned land. Completed and separate titles issued;
 - **2013/271/C permit:** Multi lot staged subdivision of northern extent of estate. Stages 1, 2A, 2B & 3. Stage 1 is complete with titles issued and some dwellings constructed. Stage 2A is currently under construction;
 - **2014/199 permit:** Multi lot staged subdivision of southern extent of estate. Stages 4 and 5. Construction yet to have commenced;
 - **2014/111 permit:** Use and development of display homes. Development of some dwellings commenced;
 - **2015/113 permit:** Buildings & works associated with supermarket development. Construction yet to have commenced;
 - **2018/93 application:** Resubdivision of servicing reserves on northern side of Baldwin Road. Approved but plan yet to be certified; and
 - **2018/94 application:** Resubdivision of land between The Rise Estate balance lot (Lot C PS729262E) and Farming Zone Balance lot (Lot C PS821062Y) to coincide with the rezoning. Under consideration by Council.

- 110A Marshalls Road, Traralgon:
 - **2016/197 permit:** Multi lot subdivision of land. Stages 1-6. Construction yet to commence.

- 50 Glendale Road, Traralgon:
 - **2017/237 application:** Multilot subdivision of land in three stages. Permit issued but no endorsed plans.

To facilitate development as already approved, significant infrastructure is required to service the TNDP area. The infrastructure is required early on in the life of the TNDP and includes the following:

- Intersection at Traralgon Maffra and Marshalls Road - \$3.45mil (approx.);
- Intersection at Dranes Road and Traralgon Maffra Road - \$2.7mil (approx.);
- Watermain extension - \$300k (approx.);
- Sewer Pump Station to retire existing facilities and service wholl TNDP area and part of medium growth area in TTSP - \$1m (approx.);
- Stormwater Infrastructure within The Rise Estate to cater for wider catchment - \$725k (approx.); and
- Stormwater reserve in the western extent of the development plan area for \$250k (approx.).

In the absence of an established Development Contribution Plan (DCP) 'kitty' the costs associated with provision of this infrastructure is to be borne by the first developer. As a result, development within the precinct has stalled with each developer waiting for the other to 'go first' and fund the required infrastructure. Developers of The Rise Estate have worn the cost of some of the necessary infrastructure upgrades that have allowed them to construct up to Stage 2A, however later stages of the estate and development west of the rise have stalled due to development costs. The financial contribution required to deliver the necessary infrastructure renders many of the approved developments economically unviable to date.

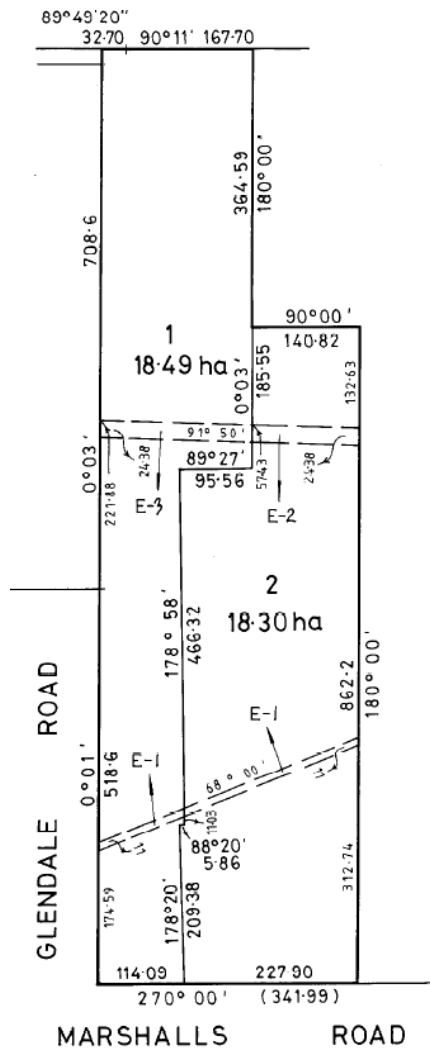
Approved plans within the TNDP area implement a cohesive road network inclusive of a northern most perimeter road (Baldwin Road) approved for construction outside the DP area and within the Farming Zone. The result of this is a strip of fully serviceable farming zoned land situated between a residential roadway and major gas pipeline on the fringe of the DP that is available for residential development. This area of land forms part of Council future growth area.

This application is made to rezone the subject strip of land to Residential, including the northern most perimeter road (which is within the Farming Zone) and a depth approximately 55m beyond the road, and extend the Development Plan to facilitate residential development of this fully serviceable strip. The development of this strip of land will financially support the provision of infrastructure for the whole TNDP area which will see the development of land in accordance with Councils strategic plan. Residential growth in this direction is as per Councils long term growth plan and in accordance with the Traralgon Structure Plan.

2.3 Existing Built Form & Topography

The land to be rezoned is vacant agricultural land that is generally flat and there are no buildings or improvements.

Figure 6: Existing Easement on title diagram (110 Marshalls & 50 Glendale)



The gas pipeline is protected from development via the application of a Design & Development Overlay that follows the pipeline through the Latrobe region. The overlay is approximately 200m wide extending both north and south of the existing easement. The overlay includes permit triggers for buildings and works within the vicinity of the pipeline as discussed in more detail below.

In preparing this application, the NBA Group have engaged with ESSO who have indicated no objection to the proposal subject to the preparation of a detailed Safety Management Study and Safety Management Workshop. Further detail regarding this consultation is provided at section 3 below.

2.5 Vegetation

The subject land is agricultural land that supports limited environmental values. A Flora & Fauna Assessment (F&F) was prepared for the TNDP area by Ecology & Heritage Partners and it can be reasonably assumed that the 54m wide strip of land subject of this application supports the same environmental values of land immediately south that was included in the F&F assessment.

The following conclusions can be drawn from site inspection and review of the F&F report:

- The study area is privately owned land that has been subject to modification through long term agricultural use;
- No national or state significant ecological communities were recorded within the study area;
- The study identified two EVC's located well away from the subject land;
- There are three trees on the northern extent of the TNDP in the vicinity of Baldwin Road. These trees are identified as T6 very large old tree, T7 medium old tree and T8 small tree. All three trees are identified as Gippsland Red Gums and may be impacted upon by other development within the precinct such as the provision of services or construction of Baldwin Road. Should these trees exist on site when the land is developed an appropriate assessment and offset can be provided at the subdivision stage; and
- A review of aerial photography identifies no other vegetation within the affected land.

The subject land is not considered to support any significant environmental values and the potential impacts on trees as a result of future development will be addressed at subdivision stage. A subsequent addendum to the F&F undertaken in September 2019 supports this approach, stating the following:

"At this stage, scattered trees found within the study area are not proposed to be removed. As such, there are no offset requirements associated with the removal of native vegetation, and the application to remove native vegetation does not fall under any of the risk-based pathway categories.

However, a planning permit from the Latrobe City Council is required to remove, destroy or lop any native vegetation, and a planning permit should be obtained prior to the disturbance of any native vegetation within the study area."

2.6 Existing Road Network

The properties subject to this application abut Marshalls Road. The Traralgon North Development Plan proposed an integrated network of internal roads inclusive of an east west boundary road along the northern extent of the TNDP that is contained within the Farming Zone. It is proposed to rezone land to be created as this road to residential, together with approximately 54m extending beyond to cater for future residential development.

It is considered that the existing and proposed road network can more than cater for the proposed rezoning and future development.

The Infrastructure Design Manual states *"The Developer should, where relevant, engage a Qualified Engineer to prepare a preliminary roads and traffic assessment which addresses, at an appropriate level of detail, the impact and management of traffic on the internal and external road networks associated with the planned development". Clause 9 of the IDM advises the need for a traffic impact assessment "will normally be triggered where Developments are expected to increase overall traffic volumes by 10%, or by 100 vehicles per day, whichever is the lesser number".*

As such, a review of the impact of potential additional lots has been conducted in order to determine the suitability of the proposed rezoning.

The total number of vehicle movements can be approximated as 10 movements per day, per allotment. It is envisaged that the rezoning of the land to residential has the potential to yield approximately 33 lots and subsequently an additional 330 vehicle movements.

As part of the Development Plan, GTA completed projections for road capacity and post development vehicle numbers as shown in table 1 below. All roads have more than sufficient capacity to handle the additional 330 vehicle movements and in reality, these movements will be distributed across all roads.

Table 1: Midblock Capacity Analysis

Road	Daily Two-way Flows		Clause 56.06-8 Capacity
	Existing (veh/day)	Post Development (veh/day)	
Traralgon-Maffra Road	3,000	5,500	-
Marshalls Road	700	3,800	7,000
Park Lane	1,900	6,300	7,000
Mitchel Drive	Minimal	2,500	3,000
Greenfield Drive	1,500	4,000	7,000
Franklin Street	2,000	6,500	7,000

Whilst traffic volumes on Traralgon-Maffra Road will notably increase, they will still be well within the capacity of the road and be notably lower than many other arterial roads.

2.7 Stormwater Runoff

The area of land proposed to be rezoned for residential development comprises of 3.66 ha. Water Technology analysed the area as part of the Development Plan process to determine the catchment layout which was subsequently reviewed by TGM and adopted as part of the Development Plan as depicted in Figure7 below.

Figure 7: Water Management Plan TNDP



The modelling of this catchment found that approximately 160m³ – 300m³ of storage per developed hectare was required to attenuate developed flows back to existing conditions.

Based on these figures and an area of 3.66ha available for residential development, an additional 1098m³ of storage would be required to cater for development. Given the location of the future additional lots, at the downstream end of the catchment, it would be easy to add the additional storage to the proposed storages. It is envisaged that this would be at a total cost of approximately \$20,000 (the equivalent of \$588 per lot) and as such is economically achievable.

It is considered that there are no drainage considerations that will prohibit the rezoning and future development of this land.

2.8 Reticulated Water

Gippsland Water maintained water assets are required to be reticulated throughout the existing Development Plan area and can easily be extended to service the subject land. These assets will be sufficient to supply any additional lots as a result of the rezoning and would require no further augmentation.

There are no reticulated recycled water sources within this area, but opportunity exists for rainwater capture and re-use.

2.9 Reticulated Gas

APA Group will be able to supply the additional lots with natural gas. The existing network has capacity to provide supply and will require no augmentation.

A major gas (and oil) pipeline exists within an easement to the north of the development plan area and a suitable buffer has been applied to the pipeline.

As part of any future development of the site, Esso will complete a Pipeline SMS in accordance with AS2885 as part of their assessment of this application.

2.10 Electricity

The relevant electricity supplier for the site is SP-AusNet. It is understood from consultation with SP Ausnet's Network Planner that the site can be serviced with reticulated electricity and there are no anticipated issues with regard to network capacity. Substations will be required within the development as an SP-AusNet maintained asset.

Based on advice from SP-AusNet's Network Planner – the 22kV lines bounding the site – can, at present, support future development based on 4kVA per lot. There are two 22kV feeders in the area – TGN 11 which runs along Park Lane and Marshalls Road and TGN 31 feeder which runs along Traralgon Maffra Road.

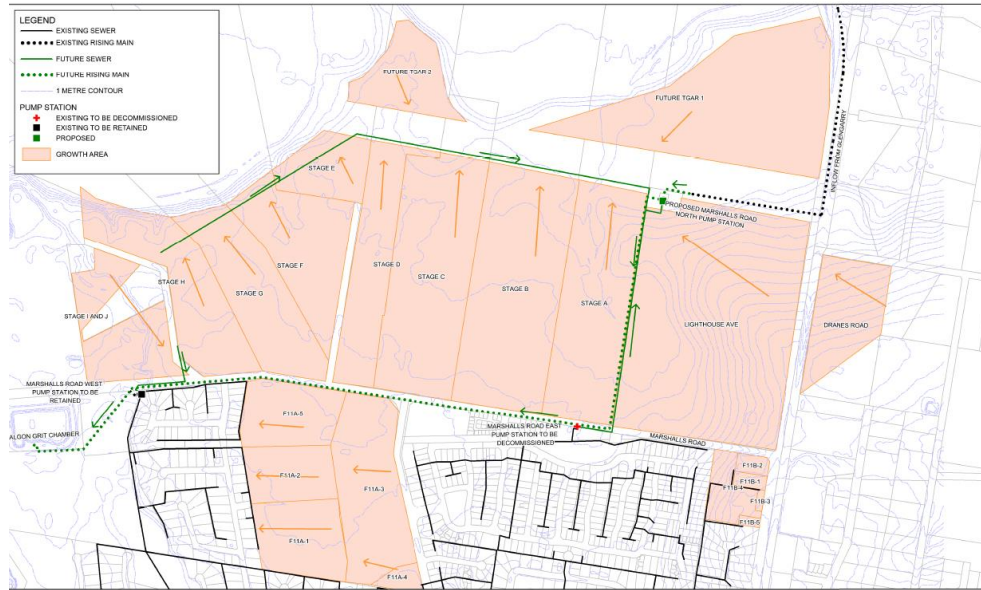
2.11 Reticulated Sewerage

The relevant service authority for sewer in the area is Gippsland Water.

The subject site and land to the north of the pipeline have been included in the catchment for the Marshalls Road North Sewage Pump Station.

Reticulated sewerage can be readily extended to service the land at the development phase at a relatively low cost per lot. The catchment map below has been taken from the GHD Basis of Design which is also attached to this application.

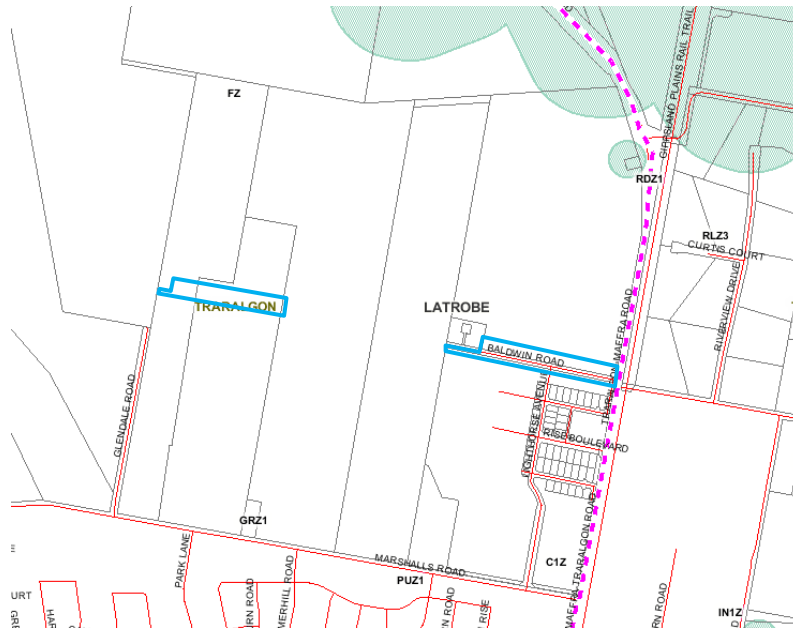
Figure 8: Marshalls Road North Sewer Catchment Area



2.12 Cultural Significance

Aboriginal Affairs Victoria (AAV) maps identify no areas of ‘cultural heritage sensitivity’ on or within 200m of the land to be rezoned as indicated in Figure 9 below and as such the future development of the land can occur without impacting Cultural Heritage.

Figure 9: Cultural Heritage Sensitivity Map



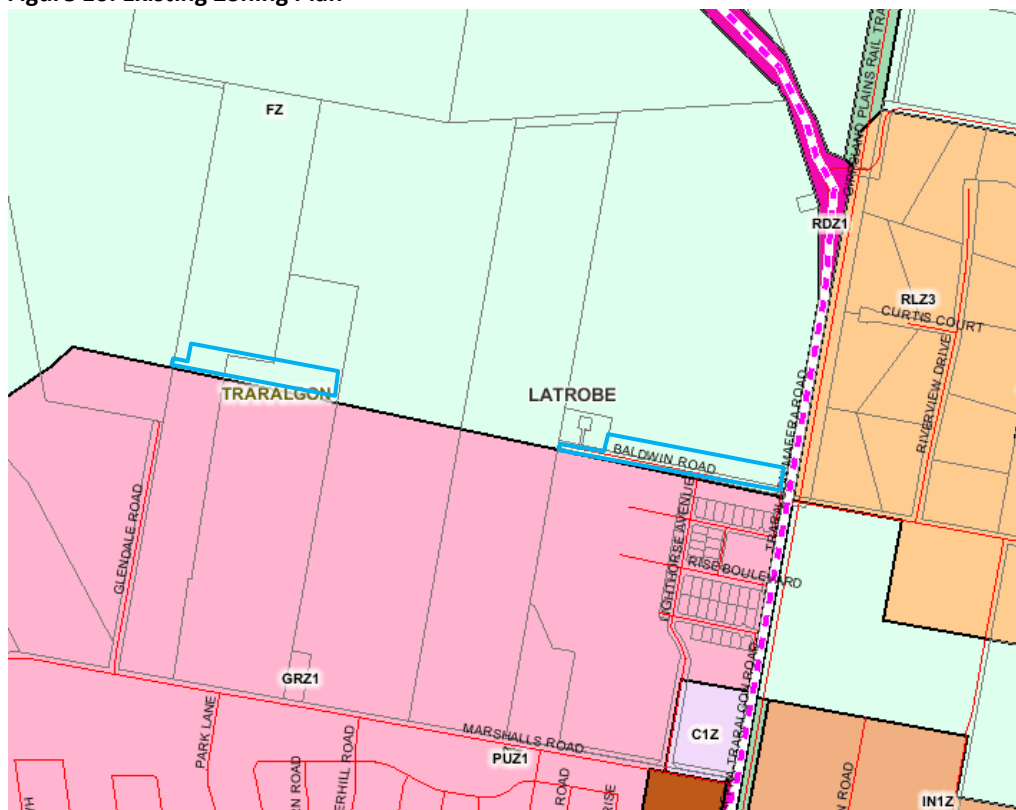
3 Planning Considerations

3.1 Existing Zoning

Pursuant to the Latrobe Planning Scheme, the subject land is presently zoned Farming Zone (FZ). The current zoning of the land is shown in the plan at Figure 10 below.

The site is surrounded by a variety of different land zonings including Farming Zone (FZ), General Residential Zone (GRZ1), Rural Living Zone (RLZ) and Road Zone Category 1.

Figure 10: Existing Zoning Plan



3.2 Proposed Zoning

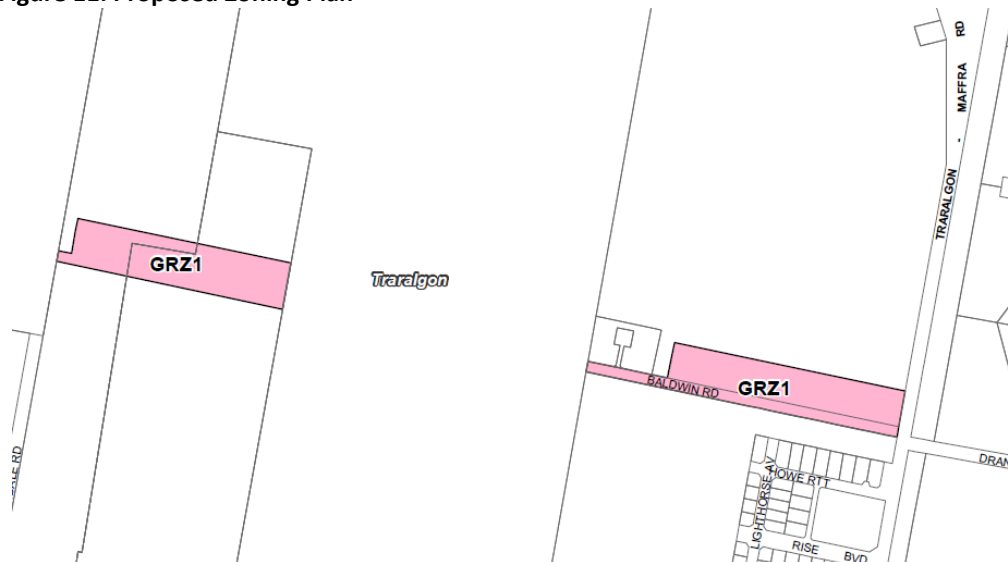
When deciding upon the most appropriate set of planning controls for the subject site, a number of planning scheme options were considered. Discussions were held with Council's planning department and the existing planning controls of the Latrobe City Council Planning Scheme were reviewed.

It was considered appropriate to rezone the site to General Residential Zone (GRZ1) which is consistent with the abutting land to the south (proposed GRZ3 under Amendment C105). The proposed zoning is as shown in Figure 11 below and in the plan attached.

The area of land to be rezoned includes the sections of the subject properties that contain the northern most east-west road and approximately 54m in depth beyond the road to provide for an extra strip of residential lots in the future.

The area of land to be rezoned for residential purposes is 3.66 hectares, plus there is an area of 7560sqm to be rezoned to encompass the existing road reserve of Baldwin Road. This equates to a total area of 4.42 hectares.

Figure 11: Proposed Zoning Plan



Alongside implementing State and Local Planning Policies the primary purpose of the General Residential Zone is:

- To encourage development that respects the neighbourhood character of the area;
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport; and
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Pursuant to Clause 32.08-3 Subdivision a permit is required to subdivide land.

Response

The provisions of the General Residential Zone (GRZ) are considered appropriate to apply to the subject site for the following reasons:

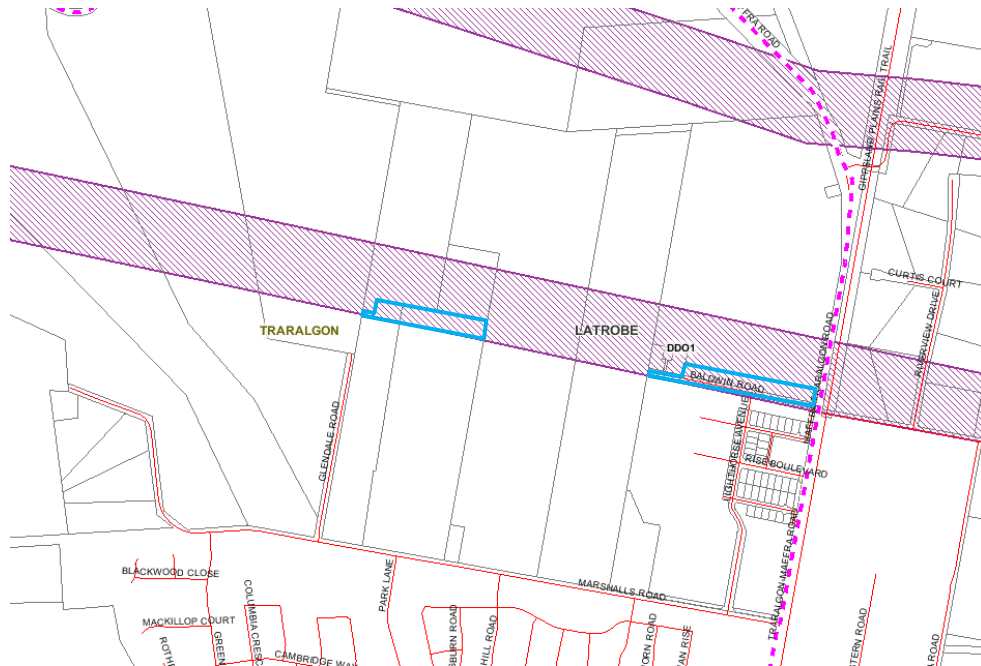
- The proposed zoning is a logical extension of the existing General Residential Zone area to the south of the site;
- The land is fully serviceable via reticulated services proposed as part of the TNDP area;
- The application of the General Residential Zone provides the opportunity for residential development in accordance with the intent of the Traralgon Township Structure Plan;
- The proposal results in a logical expansion of the existing residential TNDP area to allow fully serviceable land to be developed for residential purposes to support the implementation of the wider TNDP area;
- Future development of the land can occur in accordance with the requirements of the proposed zone and consistent with the style and form of other residential developments within the area; and
- The application of the General Residential Zone was discussed with Latrobe City Council and ESSO in formulating the proposed amendment and it was agreed by all parties that the GRZ was the most appropriate zone to apply to achieve the outcome of additional lots to support the development of the TNDP area.

Separate planning permission will be sought for subdivision of the land once the rezoning has been completed.

3.3 Exiting Overlays

The subject site is currently constrained by a Design & Development Overlay – Schedule 1 (DDO1) as shown in Figure 12 below.

Figure 12: Existing Overlays Plan



Schedule 1 to the Design & Development Overlay is unique to the Major Pipeline Infrastructure. The Design objective of the DDO is:

- *To ensure that all buildings and works and in particular buildings designed to accommodate people are sufficiently separated from high pressure pipelines to avoid a safety hazard.*

Pursuant to this Clause a planning permit is required to construct a building or carry out works. This includes fencing and construction of outdoor swimming pools associated with dwellings.

The Decision Guidelines of the overlay are noted as:

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- *The appropriateness of constructing any buildings or fences within 3 metres of any pipeline;*
- *The appropriateness of constructing any dwelling or building designed to accommodate 20 or more people within 200 metres of a Type C Pipeline; and*
- *The views of the Secretary of the Department administering the Pipelines Act 1967.*

Response:

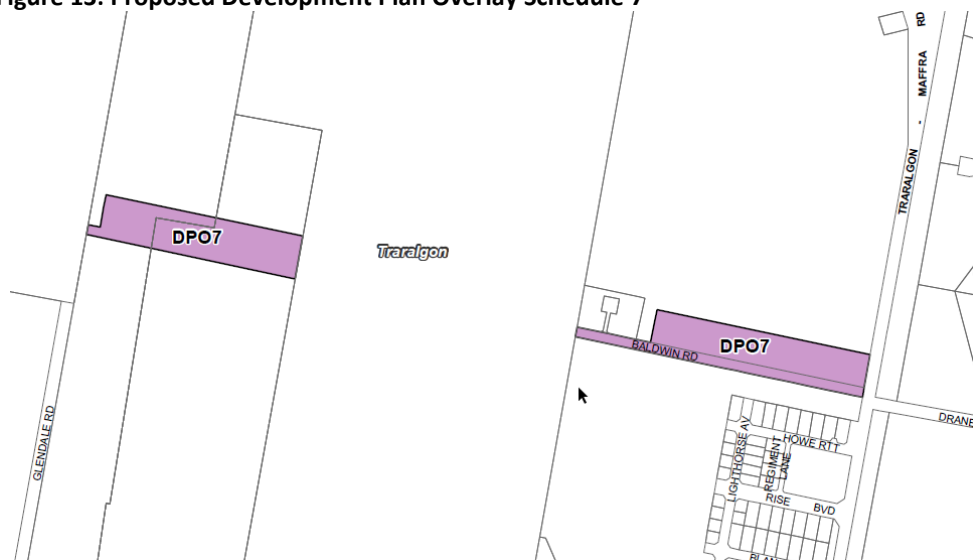
There are no changes proposed to the extent or content of the Design & Development Overlay as a result of this Amendment. The Overlay current includes permit triggers for buildings and works associated with a dwelling including fencing and swimming pools, and no changes are proposed to these requirements as part of the planning scheme amendment.

As mentioned above, ESSO Australia have indicated that a SMS and SWM need to be prepared prior to the development of the zoned land to determine relevant controls that will need to be adopted to appropriately manage risks associated with development in the vicinity of the pipeline. Once the relevant controls have been determined they can be implemented via way of building envelopes, Section 173 Agreement registered to title or other to be determined mechanism.

3.4 Proposed Overlays

It is proposed to extend the Development Plan Overlay – Schedule 7 over the subject land as shown in Figure 13 below and on the plan at Appendix 3.

Figure 13: Proposed Development Plan Overlay Schedule 7



The requirements of the DPO are as such that a Development Plan must be approved prior to the subdivision and development of land.

Response:

The TNDP has been prepared and approved. The amendment seeks approval to extend the overlay further north to encompass the east west roadway approved as part of permit applications and a strip of land beyond the roadway to provide for additional residential allotments.

Prior to the development of this land the Traralgon North Development Plan (a Council driven DP) will be required to be updated to include the subject land. It is understood from consultation with Latrobe City Council that Council will prepare the necessary update to the TNDP and associated Development Contributions Plan at the relevant time.

3.5 Planning Policy Framework (PPF)

The amendment is consistent with the Planning Policy Framework (PPF) and supports its objectives.

The amendment supports the objectives of Clause 11 Settlement, particularly Clause 11.01-1R (Settlement – Gippsland) to ensure that regional centres can support urban growth, Clause 11.02-2S to facilitate orderly development of urban areas, Clause 11.02-3S (Sequencing of Development) to ensure that sequencing of development in growth areas facilitates infrastructure planning and funding, and Clause 11.03-6S (Regional & Local Places) to consider the characteristics and needs of regional places for future land use and development.

The amendment supports the Gippsland Regional Growth Plan and its objectives of strengthening community resilience, providing for sustainable growth and delivering timely and accessible infrastructure, by providing zoned land available for development to support the provision of infrastructure and therefore future development of the wider TNDP area.

The amendment is consistent with Clause 12 Environmental and Landscape Values including the objectives of ensuring no net loss to biodiversity, through the rezoning of generally degraded and modified land that supports little environmental significance. The appropriate implementation of the Victorian Planning Provisions at the development stage will ensure no net loss to Victoria's Biodiversity.

The amendment is consistent with Clause 13 Environmental Risks and Amenity, particularly Objective 13.02-1S (Bushfire Planning) by directing growth and development to a location where the risk to life and property can be managed to an acceptable level through application of BAL-12.5 in accordance with AS3959. The interface between Farming Land and Residential Land will require consideration and management at the development stage however there are no perceived issues with this in regard to bushfire risk from a rezoning perspective.

The amendment is consistent with Clause 15 Built Environment and Heritage, particularly Objective 15.01-1S (Urban Design) and Clause 15.01-3S (Subdivision Design) by creating urban environments that are safe, functional and contribute to a sense of place and identity.

The amendment is supported by Clause 16 Housing in that it seeks to provide zoned and serviceable land ready for residential development to increase housing opportunities within Latrobe.

The amendment is required to financially facilitate infrastructure inclusive of intersection upgrades, storm water retarding basins and a sewer pump station required to service the entire TNDP area. To date the delivery of this infrastructure has stalled due to financial constraints and as such the amendment will add value to the TNDP area in order to deliver the required infrastructure. The amendment is therefore considered to be completely in accordance with Clause 19 Infrastructure particularly 19.03-2S (Infrastructure Design and Provision) that encourages the timely, efficient and cost-effective development infrastructure that meets the needs of the community.

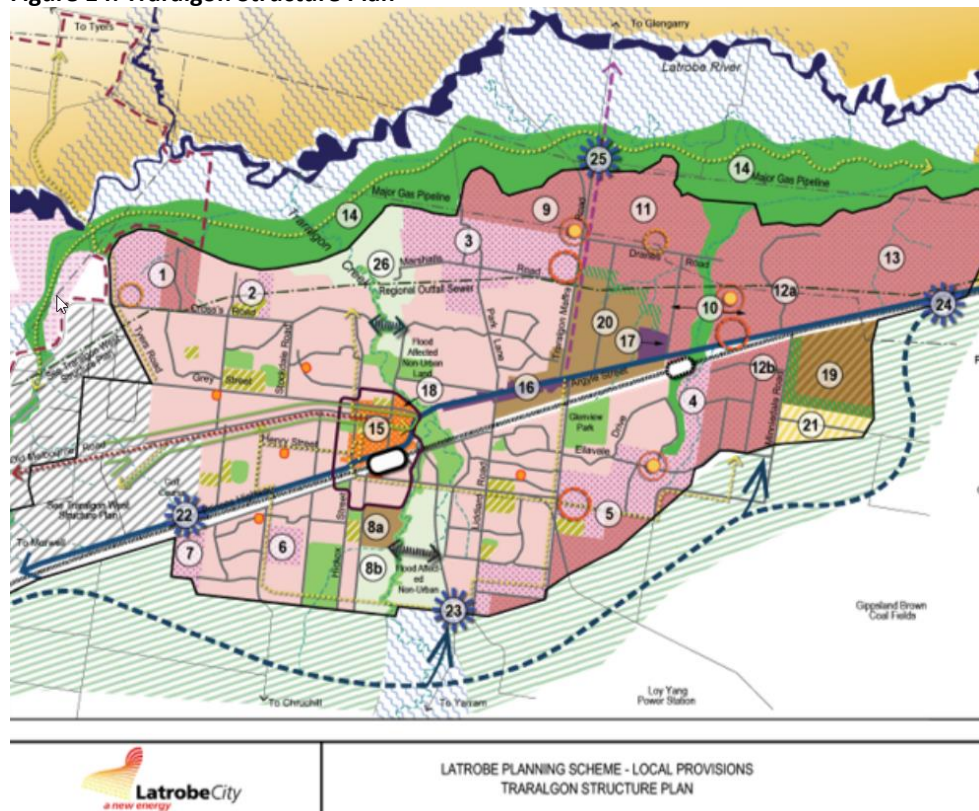
3.6 Local Planning Policy Framework

The LPPF and MSS of the Latrobe Planning Scheme provide local content to support the PPF and as such the amendment is considered to be supported by the LPPF and MSS. In particular:

Clause 21.02 Housing & Settlement estimates that between 5370 and 9310 dwellings will be required within Latrobe to the year 2023 to meet population demand. Traralgon North is identified as a growth area where extensive strategic planning has occurred to date, including rezoning of land and preparation and approval of the TNDP. Development in the Traralgon North area as approved contributes substantially to the required housing within Latrobe and the proposed amendment will ensure the delivery of such housing in accordance with Clause 21.02.

The amendment supports Clause 21.09 Local Areas and the adopted Traralgon Township Structure Plan (TTSP). Clause 21.09-4 recognises that a higher population growth in Traralgon than other Latrobe towns and expects this trend to continue. The TTSP indicates future growth for Traralgon is to occur in a north easterly and south easterly direction. The TNDP indicates the subject site falls within Area 9 where *medium term residential development with an appropriate interface with the Major Gas Pipeline and buffer to industrial zoned land is encouraged*.

Figure 14: Traralgon Structure Plan



3.7 Other Planning Considerations

It is worth noting that there have been two relevant planning scheme amendments within Traralgon in recent times.

Amendment C89 applied to land within The Rise Estate and provided for the rezoning of General Residential Land to Commercial 1 Zone together with planning approval for a supermarket development. Amendment C89 reduced the amount of land available for Residential Development within the growth area by approximately 2.7ha. The proposed amendment seeks to introduce a further 3.66ha (approx.) of residential land to cater for the anticipated population growth and support the logical sequencing of residential development in the area. The addition of residential land in this area will further support the proposed supermarket and be serviced by recreation and community facilities available within the TNDP area.

Amendment C87 sets the strategic vision derived from Traralgon Growth Area Review (TGAR) into the local planning scheme and included the adoption of a revised Traralgon Structure Plan into the planning scheme.

Each of these planning scheme amendments were considered by a Panel and in particular Amendment C87 assessed the proposed strategic plan for Traralgon concluding that:

The Panel considers the Traralgon Growth Areas Plan to be thorough and logical based on best available information at the time.

The Panel did identify some significant issues impacting the growth of Traralgon, primarily the buffer zones and potential amenity impacts as a result of the Australian Paper Mill, Coal Power stations and the Airport raising concerns for the southern and western growth areas identified in TGAR. The C87 Panel report referred to geotechnical evidence that indicated:

In relation to the coal mine, geotechnical evidence indicates significant ground instability associated with the coal mine beyond the one kilometre coal buffer area and that existing monitoring is inadequate to determine the extent of this activity. The Panel concludes that the precautionary principle should be applied by excluding land within two kilometres of the coal mine from future urban expansion on an interim basis until better defined geotechnical evidence is available.

None of these are considerations in the Traralgon North area and the C87 Panel did not make any findings or recommendations that cast doubt on proposed development within the Traralgon North area. As such it is considered that growth in the north eastern area of Traralgon where appropriate treatment of the major gas pipeline is provided, is sequential and logical.

In isolation the amendment may be considered fairly minor with only a small strip of land to be rezoned to provide development opportunity for an insignificant amount of additional residential allotments.

However, in the broader context, the potential for (say) an additional 33 residential allotments that can be developed with very minimal development costs due to the provision of services as part of the development of surrounding land, adds significant value to the development area. The additional strip of lots will provide developers of the TNDP area with

the financial certainty needed to proceed with large scale infrastructure provision and the commencement of approved developments within the TNDP.

The amendment will therefore have a substantial positive effect on the achievement of development within the TNDP area (the major growth area of Traralgon and the Latrobe Valley) and as such is considered to be of regional significance.

3.8 Amendment Strategy & Consultation

This Planning Scheme Amendment has been prepared in accordance with Ministerial Direction 11 Strategic Assessment of Amendments which has the purpose of:

The purpose of this Direction is to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

To assist with preparing a comprehensive strategic evaluation, Planning Practice Note 46: Strategic Assessment Guidelines for preparing and evaluation planning scheme amendments was relied upon for guidance. The Strategic Assessment Guidelines provide a consistent framework for preparing and evaluating a proposed planning scheme amendment and its outcomes.

This proposal seeks to extend a zone and overlay that produces a different and new land use and development outcome and as such a full assessment against the strategic considerations has been prepared. The Attached Amendment Pack (inclusive of Explanatory Report, Instruction Sheet and updated Zone and Overlay Maps) includes a full assessment against the strategic considerations as required by PN46.

The NBA Group have consulted with Latrobe City Council Strategic and Statutory Planning Departments and Gippsland Regional Planning Manager for Department of Environment Land Water and Planning (DELWP) Mr Alan Freitag, ESSO and neighbouring land owners in preparing this amendment.

The amendment will result in the potential for residential development of land within closer proximity to the ESSO easement than has previously occurred and as such the views of ESSO are considered to be paramount in this amendment. The ESSO easement contains substantial gas infrastructure that conveys services from Longford to Melbourne and as such development within this area is particular significance.

Integration with the existing gas easement is the key consideration for the amendment and future development of the land. As such the NBA Group have engaged in extensive consultation with ESSO Australia in preparing this amendment. ESSO have raised no objection to the proposal provided assets can be protected without impact and future development can be controlled via an appropriate mechanism.

ESSO have advised a Safety Management Study and Safety Management Workshop would need to be prepared in accordance with AS2885 prior to future development of the land. The SMS will determine relevant controls that will need to be adopted as part of the next stage of development to appropriately manage risks associated with development in the vicinity of the pipeline. A SMS and SMW were prepared for works that were approved and occurred within the servicing reserves also located in proximity to the easement.

The preparation of this amendment has been driven by owners of the subject land being Marshalls Road Pty Ltd and Gippsland Development Group Pty Ltd. Both of these developers

have been active in the Latrobe Valley for some time and have approved or pending planning permits for land within the TNDP. It is acknowledged that a third land owner, the Marshall Family holding a substantial amount of the TNDP land situated between the two aforementioned developers. There are no planning approvals for the development of the Marshalls land, nor are there any active planning applications.

The NBA Group together with Gippsland Development Group Pty Ltd have spent some months engaging with the Marshall Family regarding their property to gauge interest in future development and the inclusion of his land within this planning scheme amendment process. The Marshall Family with an extensive family history of cattle farming maintains a long held position that they have no intention of developing any of the land now or any time in the future. They simply wish to continue farming the property as they have for many years. The Marshall Family have not indicated any objection to the rezoning of their neighbour's land as proposed however wish for their land to be left out of the amendment process.

Whilst it is acknowledged that the inclusion of Marshall land within this amendment would be a neater strategic planning outcome on plan basis, with the Marshall's lack of development appetite and desire to retain the family farm operations, on the ground developed conditions will ultimately see The Rise Estate, 110 Marshalls Road and 50 Glendale Road developed in accordance with the TNDP with the Marshall land sitting undeveloped in the middle for some time.

The extension of the Residential Zone to these three properties will not result in a material on the ground change to what could have occurred without the amendment, however is paramount to the financial roll out of development in the TNDP area. The potential for an additional row of residential lots will have no material detriment to the Marshall Family or their land.

It is submitted that the views of interested parties have been adequately considered in preparing this amendment.

The following section of this report provides justification as to how the proposed amendment fits into the overall strategic plan for the municipality.

4 Future Subdivision & Lot Design

The NBA Group have prepared potential future subdivision plans for the land to be rezoned as part of this amendment.

The subdivision plans are indicative only and have been prepared to demonstrate how the land to be rezoned could be developed in the future in a manner that supports the wider TNDP area. The plans have informed discussions with the various authorities and interested parties who to date have raised no objection to the indicative design.

In relation to The Rise Estate, the indicative subdivision layout demonstrates how an additional 18 residential allotments with a north-south link road can be achieved. The allotments are slightly larger in size and dimension to other allotments within the estate and achieve lot sizes in excess of 900sqm. The allotments maintain a setback of 14m from the ESSO easement which is considered to be sufficient to protect the asset. Access to the balance Farming allotment is maintained via the northern most DP road whilst the balance lot also abuts Traralgon Maffra Road.

In relation to 110A Marshalls Road and 50 Glendale Road, the indicative subdivision layout demonstrates how an additional 15 allotments with a north-south link road can be achieved. Again, the allotments are 900sqm+, are well dimensioned and set back appropriately from the easement. Opportunity is available for the subdivision of this land to create balance allotments, separating urban land from farming land.

The provision of a north-south link road in both scenarios caters for the '2nd Stage Future Residential' as outlined in the [Traralgon Structure Plan](#).

It is clear that the future development of this strip of land for residential purposes is easily achievable, is logical and can occur with no detrimental impacts to interested parties. Detailed design will be required to be undertaken at the development stage including the preparation of an SMS and SMW that can and will dictate final subdivision design and development parameters.

5 Conclusions and Recommendations

As detailed in this application there is overwhelming strategic justification to proceed with the rezoning of the subject land from the Farming Zone (FZ) to General Residential Zone (GRZ1) and apply the Development Plan Overlay – Schedule 7 (DPO7). The proposed rezoning responds to these strategies and the site opportunities and constraints, and has been informed by comprehensive consultation with relevant stake holders.

The following key conclusions can be drawn from the above analysis:

- a) The proposal supports the strategic objectives of the State and Local Planning Policy Framework, including the Municipal Strategic Statement;
- b) The proposed rezoning will allow for the development of the land generally in accordance with the Traralgon Structure Plan whereby the subject site is identified as ‘1st Stage Future Residential’;
- c) The proposed amendment will implement the findings of the Traralgon Growth Areas Review, whereby the subject site is identified as a future residential development area available for development;
- d) The earlier development of the subject land is seen as a logical expansion of the TNDP area given that all services and road infrastructure will be readily available. Growth towards the north of Traralgon is considered logical and preferable given the constraints impacting the southern and western growth areas of Traralgon;
- e) The rezoning and future development of the subject land is paramount to the development of the entire TNDP area due to the current infrastructure restrictions. The potential for an additional strip of lots within the TNDP will add significant value to the entire DP area;
- f) The use of the Development Plan Overlay will ensure that future development is appropriate and in accordance with Councils strategic vision for the site;
- g) Increased residential density within a fully serviced and growing area will reinforce the role of Traralgon as the primary growth area in Latrobe; and
- h) Appropriate planning mechanisms are provided to ensure future development of the land can occur in accordance with authority requirements, particularly those determined by ESSO to protect the nearby gas infrastructure.

The proponents are keen to proceed with development of the subject land and the wider TNDP area in accordance with Council’s requirements and look forward to working in conjunction with Council’s team to expedite this project as a matter of priority.

6 Appendices