



PART 5 ATTACHMENTS

Attachment I Draft Planning Scheme Amendment

| SECTION | PAGE | SECTION | PAGE |
|--|-------------|---|-------------|
| Nillumbik, Whittlesea PSA Amendment GC92: Explanatory Report | I.3 | Whittlesea Planning Scheme | |
| Nillumbik, Whittlesea PSA Amendment GC92: Instruction Sheet | I.15 | Schedule To Clause 45.01 – Public Acquisition Overlay | I.33 |
| Nillumbik Planning Scheme | | Schedule To Clause 45.12 – Specific Controls Overlay | I.35 |
| Schedule To Clause 45.01 – Public Acquisition Overlay | I.17 | Schedule To Clause 72.03 – What does this Planning Scheme consist of? | I.37 |
| Schedule To Clause 45.12 – Specific Controls Overlay | I.19 | Schedule To Clause 72.04 – Documents Incorporated in this Planning Scheme | I.39 |
| Schedule To Clause 72.03 – What does this Planning Scheme consist of? | I.21 | Local Provision Amendment GC92 – Map No 14PAO | I.43 |
| Schedule To Clause 72.04 – Documents Incorporated in this Planning Scheme | I.23 | Local Provision Amendment GC92 – Map No 19PAO | I.46 |
| Local Provision Amendment GC92 – Map No 2PAO | I.25 | Local Provision Amendment GC92 – Map No 14SCO | I.47 |
| Local Provision Amendment GC92 – Map No 6PAO | I.27 | Local Provision Amendment GC92 – Map No 19SCO | I.49 |
| Local Provision Amendment GC92 – Map No 2SCO | I.29 | Yan Yean Road (Kurrak Road to Bridge Inn Road) (Stage 2) Upgrade Project – Incorporated Document | I.51 |
| Local Provision Amendment GC92 – Map No 6SCO | I.31 | | |

THIS PAGE IS INTENTIONALLY LEFT BLANK

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

WHITTLESEA PLANNING SCHEME

AMENDMENT GC92

EXPLANATORY REPORT

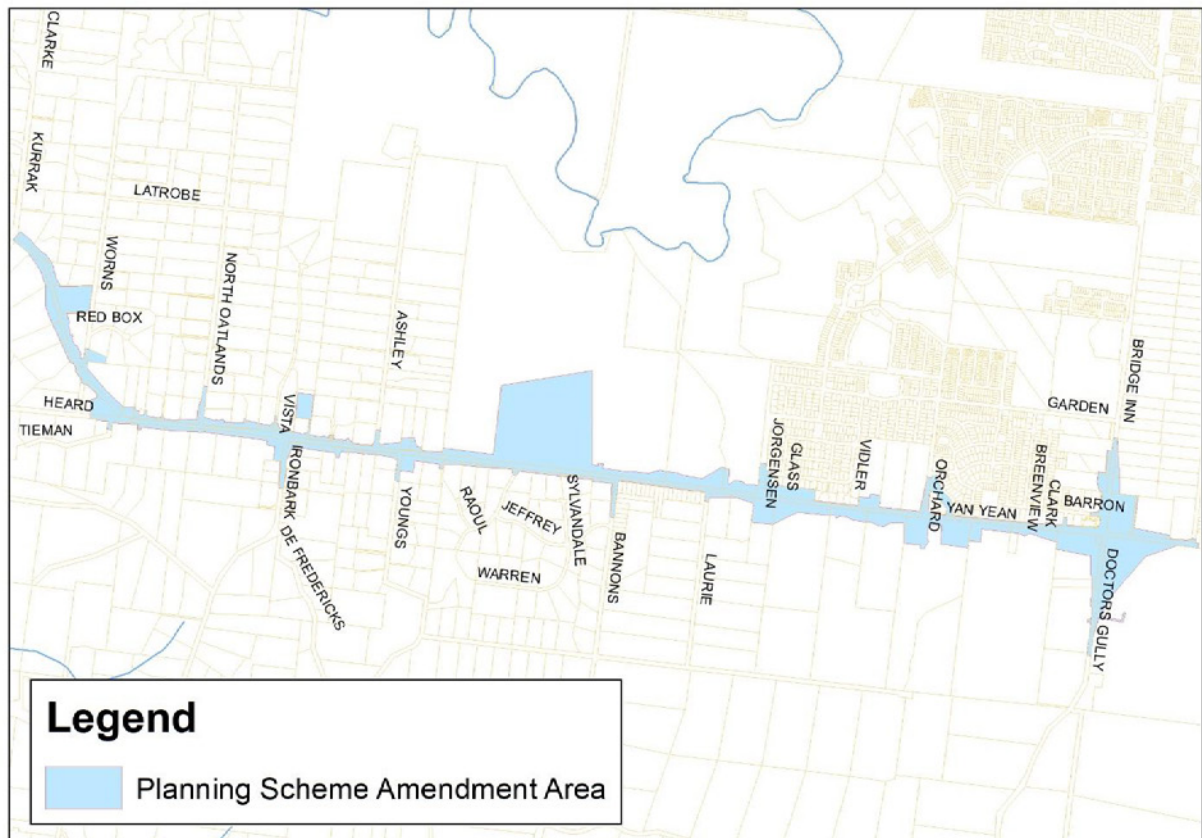
Who is the planning authority?

This amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The amendment has been made at the request of Major Road Projects Victoria (MRPV) (proponent), part of the Major Transport Infrastructure Authority in relation to the Department of Transport, to facilitate the Yan Yean (Stage 2) Upgrade Project (project).

Land affected by the Amendment

The amendment applies to land required for the project, between Kurrak Road and Bridge Inn Road (project land), which traverses the Nillumbik and Whittlesea Planning Schemes (planning schemes). The project land is generally shown on the map below



The project includes:

- The upgrade, duplication and widening of Yan Yean Road from Kurrak Road to Bridge Inn Road to provide for two lanes in each direction, associated service and turning lanes.
- Intersection upgrades and improvements including to provide controlled intersections at North Oatlands Road, Ironbark Road, Bannons Lane, Jorgensen Avenue, Orchard Road and Bridge Inn Road.
- Walking and cycling infrastructure and facilities including shared user and walking paths.

What the amendment does

The amendment:

- Applies Specific Controls Overlay (SCO13) in Nillumbik and Whittlesea Planning Schemes to the project land allowing the use and development of that land in accordance with the project specific control contained in the *Yan Yean Road (Kurrak Road to Bridge Inn Road) (Stage 2) Upgrade Project Incorporated Document, August 2020* (Incorporated Document).
- Applies a Public Acquisition Overlay PAO1 to land required for the project in Nillumbik Planning Scheme.
- Applies a Public Acquisition Overlay PAO2 to land required for the project in Whittlesea Planning Scheme.
- Amends existing PAO1 in the Nillumbik Planning Scheme to change the purpose of the acquisition from "Road widening" to "Road Purposes" and makes the Head, Transport for Victoria the acquiring authority.
- Amends existing PAO2 in the Whittlesea Planning Scheme to change the purpose of the acquisition from "Acquisition by VicRoads for Road Purposes" to "Road Purposes" and makes the Head, Transport for Victoria the acquiring authority.

Strategic assessment of the Amendment

Yan Yean Road is a secondary north-south arterial road which connects Dorreen, Yarrambat and Plenty to the Metropolitan Ring Road (M80). It also provides connectivity to east-west arterials including Bridge Inn Road, Kurrak Road and Diamond Creek Road linking residents to the suburbs of Mernda, South Morang, Diamond Creek and Greensborough which provide regional employment and services and access to the metropolitan rail network.

The regional arterial road network also provides access to critical employment clusters in the broader North Growth Corridor including Thomastown, Somerton and the La Trobe National Employment and Innovation Cluster (NEIC). The suburbs of Mernda and Doreen within the North Growth Corridor are experiencing unprecedented levels of population growth resulting in rapid land use change and growing travel demand. Population and urban growth has outpaced the capacity of the arterial road network and in recognition of this, the Federal and State Government are investing in significant upgrades within the outer suburbs.

The need to upgrade and provide increased capacity on Yan Yean Road to support the development of the North Growth Corridor was identified as early as 1990 within the *Plenty Valley Strategic Plan 1990*. Planning for Mernda-Doreen identified the need to upgrade Yan Yean Road and the use and development framework for this area was established by the *Mernda Strategy Plan 2004 (Amended 2016)*. Subsequent strategic plans provided for a 30 m building setback and restricted access in recognition of the need for, and to facilitate, its future upgrade (*Yarrambat Local Structure Plan 1993 (revised 2000)*). These early decisions have shaped the land use and settlement pattern within Doreen, Yarrambat and Plenty in recognition of the need for the project.

Whittlesea City Council and Nillumbik Shire Council identify the lack of arterial road capacity and connectivity as a significant constraint to future growth. Both Councils have long been advocating for an upgrade to Yan Yean Road. More recently, the Yarrambat Issues and Options Paper, 2014 recognised that local residents must travel outside of the municipality to meet their retail and service needs. In 2017, the City of Whittlesea produced the Road and Public Transport Plan 2017 which identifies priorities for transport infrastructure to meet with the needs of the rapidly expanding municipality. In particular, the Plan identifies the duplication of Yan Yean Road from Kurrak Road to Bridge Inn Road and enhancements to Yan Yean Road north of Bridge Inn Road, as a very high priority. The project responds to and will deliver on the community's expectations of upgrading and increasing the capacity of Yan Yean Road from Kurrak Road to Bridge Inn Road. As a result of the increased capacity on Yan Yean Road (and reduced congestion), the installation of the new safety barriers and the upgraded intersections, the project also addresses existed safety issues by delivering significant safety improvements to the road.

The amendment is the most appropriate mechanism to facilitate the timely and coordinated delivery of the project under the planning schemes. The amendment is also required to facilitate the acquisition of land required for the project. The Incorporated Document to be included in the planning schemes will provide a project specific planning control by which the project is to be developed and used. It has the effect of exempting the project from the usual requirements of the planning schemes, and permit the use and development of the project land for the project in accordance with the specific control in the Incorporated Document.

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

The amendment supports the objectives of planning in Victoria as set out in Section 4(1) of the *Planning and Environment Act 1987*. The following objectives are particularly relevant to the amendment:

- (a) To provide for the fair, orderly, economic and sustainable use, and development of land.*
- (b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*
- (c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*
- (e) To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.*
- (f) To balance the present and future interests of all Victorians.*

The amendment implements these objectives by facilitating the delivery of a project that will:

- Increase the capacity, reliability, efficiency and safety of Melbourne's transport network and address critical gaps in infrastructure provision required to support Melbourne's growing population and urban expansion in the outer north growth corridor.
- Improve access to growing residential, recreational and service centres in the North Growth Corridor, as well as access to jobs and other opportunities in locations such as the La Trobe National Employment and Innovation Cluster, Melbourne Airport and the Northern Industrial Precinct.
- The Incorporated Document provides for a single approval that will facilitate the orderly and coordinated provision of transport infrastructure for the benefit of the community and ensure that existing utilities are adequately protected, relocated and upgraded where necessary.
- Reduce congestion and travel times and contribute to a safer and more reliable road system and improve connectivity for road users, pedestrians and cyclists in Melbourne's northern suburbs.

In addition to facilitating the project, the amendment introduces a planning framework to ensure that potential environmental, social and economic effects of the project are appropriately managed and mitigated during the design, construction and operational phases of the project.

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

The amendment implements a project where potential environmental, social and economic effects of the project have been assessed through the Environment Effects Statement (EES) process under the *Environment Effects Act 1978*, including the Minister's Assessment. This included input from a broad range of technical specialist across multiple disciplines which informed the design of the project and preparation of the EES.

The incorporated document:

- requires an EMF and set of Environmental Performance Requirements (EPRs) to be approved by the Minister for Planning prior to the commencement of works (other than preparatory works); and
- includes conditions relating to native vegetation removal and offsets, heritage, utility installation and preparatory buildings and works.

Environmental Management Framework

The Incorporated Document requires the project to be used and developed in accordance with the approved EMF and EPRs.

The EMF is a framework to ensure that the project complies with relevant statutory requirements and minimises environmental risks. The EMF contains the EPRs for the project. The EPRs comprise a set of project specific performance requirements or standards that must be met during design, construction and operation of the project to ensure that adverse environmental impacts are managed to achieve acceptable outcomes.

The EMF sets out accountabilities for managing and monitoring environmental impacts associated with the design and construction of the Project. The EMF and finalised EPRs approved under the Incorporated Document will reflect the outcomes of the EES assessment process for the Project.

The EPRs have been informed by detailed technical studies that have considered the following environmental impacts and potential effects:

- Transport capacity and connectivity
- Biodiversity
- Social and cultural values
- Land use planning
- Physical environment

Native Vegetation

The Incorporated Document requires details of the removal, destruction or lopping of native vegetation to be prepared and appropriately offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017), except as otherwise agreed by the Secretary to DELWP. This requirement is in addition to the relevant EPRs that address vegetation.

Heritage

Heritage impacts will be appropriately addressed in accordance with applicable EPRs and conditions in the incorporated document.

The preparation and approval of a cultural heritage management plan (CHMP) is required for the project in accordance with the Aboriginal Heritage Act 2006. Works will be undertaken in accordance with the approved CHMP for the project

Does the Amendment address relevant bushfire risk?

The project land is not affected by a Bushfire Management Overlay but part of the alignment is located within a bushfire prone area. The road upgrade will improve emergency access to a bushfire prone area and will not result in an increased risk to life, property or the environment.

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 on the Form and Content of Planning Schemes

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

Ministerial Direction No.1 – Potentially Contaminated Land

The amendment does not propose the rezoning of any land to a sensitive land use or enablement of sensitive uses on potentially contaminated land. The Incorporated Document requires the design, construction and operation of the project to be in accordance with the approved EMF. The project will also comply with the approved EPRs to ensure the acceptable management of contaminated land impacted by the project, and to ensure the environmental condition of the land is suitable for future use.

Ministerial Direction No.9 – Metropolitan Strategy

The amendment is consistent with *Ministerial Direction No. 9 – Metropolitan Strategy* and is consistent with the following directions and policies of Plan Melbourne:

- Direction 1.1 Create a city structure that strengthens Melbourne's competitiveness for jobs and investment.
- Direction 1.2 Improve access to jobs across Melbourne and closer to where people live.
- Direction 3.1 Transform Melbourne's transport system to support a productive city.
- Direction 3.2 Improve transport in Melbourne's outer suburbs.
- Direction 3.4 Improve freight efficiency and increase capacity of gateways while protecting urban amenity.

The amendment facilitates the delivery of a project that supports the outcomes of Plan Melbourne and will provide the following benefits:

- Jobs and investment in the local area
- Delivers new transport infrastructure to increase accessibility
- Improves local travel options with better connections within the North Growth Corridor and access to jobs and other opportunities in locations such as the La Trobe National Employment and Innovation Cluster, Melbourne Airport and the Northern Industrial Precinct
- Facilitates a more efficient and safer road network which benefits all road users
- Improves the operation of the existing transport network with faster, more reliable and efficient on-road traffic movement by reducing congestion on Yan Yean Road
- Ensures the environmental and construction impacts are managed and minimised through compliance with the approved EMF and EPRs for the project

Other Ministerial Directions

Ministerial Direction No. 11 Strategic Assessment of Amendments

The amendment is consistent with Ministerial Direction No. 11 Strategic Assessment of Amendments and Planning Practice Note 46: Strategic Assessment Guidelines for Planning Scheme Amendments.

Ministerial Direction No.15 – The Planning Scheme Amendment Process

Ministerial Direction No.15 encourages consistent, efficient and timely processing of amendments by setting times for completing key steps in the amendment process. The amendment has been prepared with regard to this Ministerial Direction and is consistent with its process.

Ministerial Direction No. 19 – Preparation and content of amendments that may significantly impact the environment, amenity and human health.

This direction applies to the review of planning schemes and preparation of planning scheme amendments that may (among other things) allow the use or development of land that could result in water, noise, air or land pollution impacts on the environment, amenity or human health.

This direction requires that the planning authority must seek the written views of the Environment Protection Authority Victoria (EPA Victoria) and address its views.

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

The amendment supports or implements the following clauses of the Planning Policy Framework:

Clause 11 Settlement

Clause 11 requires planning to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for and contribute to accessibility, economic viability and the integration of land use and transport. Furthermore, planning is to facilitate sustainable development that takes full advantage of existing settlement patterns and investment in transport, utility, social, community and commercial infrastructure and services.

The amendment is consistent with this policy as it delivers a project that will provide improved transport choices, reduced congestion on the existing road network and facilitate the orderly development of urban areas and improve access to local, regional and metropolitan centres. The upgraded arterial road network will ensure that there is the appropriate transport infrastructure to support existing and planned growth of residential, employment and supporting land uses in existing urban and green wedge areas including Yarrambat and Doreen.

This upgraded infrastructure will enable more efficient movement of goods and people to key destinations, such as La Trobe National Employment and Innovation Cluster and Mernda, Diamond Creek and Greensborough Major Activity Centres.

Clause 12 Environment and Landscape Values

Clause 12 recognises the importance of incorporating the protection of biodiversity and the health of ecological systems. Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

The Project is located predominately in a long established reserved road corridor. Most of the Project area has been highly modified due to past disturbances including clearing of vegetation; urban development; alterations to local hydrology through manipulation of waterways and the introduction of exotic flora and fauna species.

The amendment supports this policy and will provide for the design, construction and operation of the Project in a way that appropriately protects environmental and landscape values, in line with the approved EPRs and conditions set out in the incorporated document, such as requirements for the removal, destruction or lopping of native vegetation, and offsetting of native vegetation, necessary for the construction of the project.

Clause 13 Environmental Risks and Amenity

Clause 13 encourages a best practice environmental management and risk management approach which aims to avoid or minimise natural and human-made environmental degradation, environmental hazards and amenity conflicts.

The Project will be designed, constructed and operated in accordance with the EMF which will include best practice measures to reduce and manage environmental impacts of the Project.

Clause 15 Built Environment and Heritage

Clause 15 recognises that planning should ensure all new land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context. Furthermore, planning should protect places and sites with significant heritage, architectural, aesthetic, scientific and cultural value.

The HO191 applies to two Doreen River Red Gums within the Shire of Nillumbik and the HO21 applies to the St. Michael Anglican Church at 469-475 Ironbark Road, Yarrambat.

The Project responds to the identified heritage values in the project area and the amendment supports and implements Clause 15 through the EPRs in respect of heritage matters and through the preparation of a Cultural Heritage Management Plan (CHMP) approved under the *Aboriginal Heritage Act 2006*.

Clause 18 Transport

Clause 18 seeks to promote an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.

The amendment supports Clause 18 through an improvement to the road network increasing local connectivity and accessibility to employment areas. The Project will support the rapid growth of Mernda and Doreen in the North Growth Corridor and improve regional arterial road network capacity and connectivity and access to critical employment clusters in the broader North Growth Corridor. It will facilitate safety and efficiency gains to meet local needs and will service markets throughout Victoria by providing an alternative and direct route thus reducing congestion on the existing road network. The Project will also provide opportunities for a reduction in greenhouse gas emissions through facilitation of sustainable transport options via the delivery of safe shared cycling and pedestrian paths.

Clause 19 Infrastructure

Clause 19 seeks to ensure that planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

The amendment supports Clause 19 as the project aligns with strategic planning for the area. Future growth will be concentrated in existing urban areas in the south and the developing areas of Mernda-Doreen in the north.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment supports or implements the following policy directions of the Local Planning Policy Framework of the Nillumbik and Whittlesea Planning Schemes:

Nillumbik Planning Scheme

- Clause 21.03 Municipal Profile and Key Influences
- Clause 21.04 Vision – Strategic Framework
- Clause 21.05 Objectives – Strategies – Implementation
- Clause 22.04 Siting and Design Policy for Buildings and Works in Non-Urban Areas.
- Clause 22.05 Aboriginal Cultural Heritage Policy
- Clause 22.06 Roadside Management Policy

The Yan Yean Road upgrades will complete the duplication of this important north-south connection and improve public and active transport links to the future Mernda Town Centre and existing station. The project addresses a key objective of Clauses 21.03 and 21.04 to improve the connectivity and

access between key centres and urban and non-urban areas, while considering rural amenity and local environmental values.

The EMF, required by the incorporated document, will provide an overarching framework and targeted performance measures to manage environmental, social and economic impacts consistent with Clauses 21.04 and 21.05.

The project will support the settlement strategy within Nillumbik Shire to encourage development into appropriately zoned areas, including Yarrambat and Plenty. Yan Yean Road connects these areas, which have been identified in Clause 21.05-2 as areas where new development is to be encouraged. The project will support the increase in travel demand and improve the network connectivity to these development regions, while seeking to maintain existing environmental and amenity values. This is consistent with Clause 21.05.

The project is located within areas of Aboriginal cultural heritage sensitivity. The project will be carried out in accordance with an approved CHMP. This will protect places of identified heritage value for present and future generations in accordance with Clause 22.05.

Where possible, vegetation has been avoided and a landscape strategy will be prepared to demonstrate that significant landscaping and revegetation will occur to replace the loss of vegetation along the corridor.

A landscape strategy will be prepared for the project to provide detail on the appropriate planting for this area. This meets the objective of Clause 22.04 for respectful works in rural area to minimise landscaping impacts

Whittlesea Planning Scheme

- Clause 21.02 Municipal Profile
- Clause 21.04 Settlement
- Clause 21.08 Built Environment and Heritage
- Clause 21.11 Transport
- Clause 22.04 Heritage Conservation Policy
- Clause 22.10 River Red Gum Protection Policy

The project will accommodate the increased travel demand generated from the existing and planned growth areas of Mernda and Doreen and improve connectivity to regionally significant employment nodes and services in line with the vision set out in Clause 21.04.

The project supports Clause 21.04 by providing additional transport infrastructure that improves network efficiency and connects people to jobs and services, supporting existing and future growth of residential, employment and educational facilities in the region.

The EMF, required by the incorporated document, will provide an overarching framework and targeted performance measures to manage environmental, social and economic impacts consistent with Clauses 21.04 and Clause 21.08. The project is located within areas of Aboriginal cultural heritage sensitivity. The project will be carried out in accordance with an approved Cultural Heritage Management Plan and if dry stone walls are found during construction within the City of Whittlesea a dry stone wall management plan will be required to protect these areas of heritage value in accordance with Clauses 21.08 and 22.04.

The project supports a key objective of Clause 21.11 to create an efficient, interconnected multi-modal transportation system within the region. The project will make a significant contribution to the improvement of the capacity of the arterial road network and enhance connectivity to critical employment clusters in the broader North Growth Corridor. Connectivity and safety for pedestrians and cyclists will be improved through the provision of a new pedestrian and cycle paths.

A Tree Protection Management Plan, addressing the objectives of Clause 22.10, will be prepared detailing how trees proposed for retention will be protected.

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

The amendment makes proper use of the Victoria Planning Provisions.

In the absence of an amendment, the project would be subject to multiple permit requirements under various provisions of the planning schemes. The SCO and associated incorporated document have

the effect of exempting the project from the usual requirements of the planning schemes and allowing the use and development of land for the project in accordance with the specific control in the incorporated document. The incorporated document allows for a coordinated and consistent approach to the use and development of land for the project which traverses seven planning schemes.

The incorporated document allows the use and development of the project land for the purposes of the project in accordance with the conditions set out in the incorporated document.

The amendment is compliant with the subdivision requirements of the Green Wedge zone, as it will not allow for the creation of an additional lot as defined in the *Subdivision Act 1988*. Land in the Green Wedge zone acquired for the project will be acquired for the purposes of a road pursuant to the PAO and will be retained in the road reserve or provided to Council for use as public open space, Residual land following acquisition will also remain above 40 hectares.

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

The views of relevant agencies and stakeholders have been considered through an extensive consultation framework as part of the EES process under the *Environment Effects Act 1978*.

A Technical Reference Group (TRG) was established as part of the assessment of the project under the *Environment Effects Act 1978*. The TRG was convened by the Department of Environment, Land, Water and Planning (DELWP) and comprised representatives of departments and authorities with statutory interests or specialised expertise relevant to the project, including:

- City of Whittlesea
- DELWP
- Melbourne Water
- Parks Victoria, Shire of Nillumbik
- Aboriginal Victoria
- Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.

The views of the following additional agencies were sought and considered:

- Environment Protection Authority (EPA)
- Yarra Valley Water

These departments and authorities were provided with the opportunity to make a submission and be heard at the public hearing as part of the Inquiry and Advisory Committee (IAC) through the EES process. Submissions and other evidence from these departments and authorities were considered by the IAC, and this, together with the IAC report and the Minister's assessment, informed the preparation of the amendment.

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

The amendment facilitates a project that will have a positive impact on the transport system as defined in Section 3 of the *Transport Integration Act 2010*. As described below, the amendment addresses key transport system objectives and decision-making principles set out in Part 2, Divisions 2 and 3 of the *Transport Integration Act 2010*.

Division 2 – Transport system objectives

- *S8 Social and economic inclusion:* The project will provide better access to social and economic opportunities by increasing capacity along Yan Yean Road to improve access to infrastructure, jobs and critical economic and education clusters, such as the M80, La Trobe National Employment and Innovation Cluster, Melbourne Airport and the Northern Industrial Precinct. The project will also provide greater access to community networks by providing a designated walking and cycling path and upgrading existing public transport facilities, and improve amenity for all users.
- *S9 Economic prosperity:* The project will facilitate access for the local community to Mernda Station, Mernda Major Activity Centre and growing residential, educational and recreational centres, creating greater employment opportunities and increased economic activity in the area. It will also

provide a safer and more reliable road which will both benefit freight and business transport within the vicinity of Yan Yean Road and reduce costs associated with vehicle crashes.

- *S10 Environmental sustainability:* The project will improve the efficiency of the road network reducing the environmental impacts resulting from congestion. The project's EMF will provide a transparent and integrated framework for managing environmental impacts and the EPRs developed for the project will minimise impacts to achieve acceptable environmental outcomes. Further, the project's Landscape Strategy will identify how social and cultural values can be managed during construction and then reinforced and rehabilitated within new landscape treatments.
- *S11 Integration of transport and land use:* The project will support the changing land use character of the area, and especially the growth associated with the Mernda Strategy Plan. It will improve the capacity of Yan Yean Road, to support the planned growth at Doreen and Mernda within the Whittlesea Growth Corridor as well as the growth anticipated within Nillumbik Shire. Residents will have improved access to local jobs, services and activities as well as the metropolitan rail network. The project will also support the implementation of the relevant land use strategies / policies / plans at State and local levels..
- *S12 Efficiency, coordination and reliability:* The amendment facilitates a more efficient transport network, improving the capacity, reliability and safety of Yan Yean Road. The project makes efficient use of existing infrastructure to reduce travel times, congestion and risk of vehicular collisions. By increasing the capacity of Yan Yean Road, the project will also result in greater resilience across the local network, meaning fewer delays and disruptions as a result of an incident.
- *S13 Safety and health and wellbeing:* The project will improve safety for road users by providing a divided carriageway to separate opposing traffic flows, upgraded intersections and controlling turning movements and minimising conflict points. It will also improve safety for active users through the provision of an off-road walking and cycling path and a footpath along the entire alignment which will increase social connectedness and improve amenity within the local community.

Division 3 – Decision-making principles

The potential environmental, social and economic effects of the project were considered through the EES process under the EE Act, which involved extensive consultation between MRPV, statutory authorities, local government and other relevant agencies. This included input from a broad range of specialist disciplines which informed the reference design of the project and preparation of the EES. The EES was also informed by a TRG that was convened by DELWP and comprised representatives of departments and authorities with statutory interests or specialised expertise relevant to the project.

The project was also subject to an exhibition and public hearing process undertaken as part of the IAC through the EES process. The IAC report and the subsequent Minister's assessment informed the preparation of this amendment.

In this way, the amendment has been prepared having regard to integrated decision making, the principle of triple bottom line assessments, and equity. The transport system user's perspective has been borne in mind, as have the precautionary principle, the principle of stakeholder engagement and community participation, and transparency.

Resource and administrative costs

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

The implementation of the planning provision is expected to have a minimal impact on the resources and administrative costs of the responsible authority. The amendment will reduce the regulatory burden for council by introducing planning permit exemptions for the project.

Where you may inspect this Amendment?

The amendment can be inspected free of charge at the Major Road Projects Victoria website at www.roadprojects.vic.gov.au/yyr-ees

To receive an EES information pack you can either:

- Request a copy via a link on the website above
- Call MRPV on 1800 105 105 to request a copy
- Email us via contact@roadprojects.vic.gov.au

The EES information pack will contain:

- A USB loaded with the complete EES and PSA documents
- A printed copy of the EES Summary Report
- A printed copy of the EES Map Book
- A printed information sheet on 'How to Navigate the EES'

THIS PAGE IS INTENTIONALLY LEFT BLANK

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

WHITTLESEA PLANNING SCHEME

AMENDMENT GC92

INSTRUCTION SHEET

The planning authority for this amendment is the Minister for Planning.

The Nillumbik Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of four attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map No.6PAO in the manner shown on the one attached map marked "Nillumbik Planning Scheme, Amendment GC92".
2. Amend Planning Scheme Map No.6SCO in the manner shown on the one attached map marked "Nillumbik Planning Scheme, Amendment GC92".
3. Insert new Planning Scheme Map No.2PAO in the manner shown on the one attached map marked "Nillumbik Planning Scheme, Amendment GC92".
4. Insert new Planning Scheme Map No.2SCO in the manner shown on the one attached map marked "Nillumbik Planning Scheme, Amendment GC92".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

5. In Overlays – Clause 45.01 replace the Schedule with a new Schedule in the form of the attached document.
6. In Overlays – Clause 45.12 replace the Schedule with a new Schedule in the form of the attached document.
7. In Operational Provisions – Clause 72.03 replace the schedule with a new Schedule in the form of the attached document.
8. In Operational Provisions – Clause 72.04 replace the Schedule with a new Schedule in the form of the attached document.

The Whittlesea Planning Scheme is amended as follows:**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of four attached map sheets.

Overlay Maps

9. Amend Planning Scheme Map No.14PAO in the manner shown on the attached map marked "Whittlesea Planning Scheme, Amendment GC92".
10. Amend Planning Scheme Map No.14SCO in the manner shown on the attached map marked "Whittlesea Planning Scheme, Amendment GC92".
11. Insert new Planning Scheme Map No.19SCO in the manner shown on the attached map marked "Whittlesea Planning Scheme, Amendment GC92".
12. Insert new Planning Scheme Map No.19PAO in the manner shown on the attached map marked "Whittlesea Planning Scheme, Amendment GC92".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

13. In Overlays – Clause 45.01 replace the Schedule with a new Schedule in the form of the attached document.
14. In Overlays – Clause 45.12 replace the Schedule with a new Schedule in the form of the attached document.
15. In Operational Provisions – Clause 72.03 replace the schedule with a new Schedule in the form of the attached document.
16. In Operational Provisions – Clause 72.04 replace the Schedule with a new Schedule in the form of the attached document.

End of document

NILLUMBIK PLANNING SCHEME

14/12/2017
C108

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0

14/12/2017
C108
[Proposed
GC92](#)

Public acquisition

| PS Map | Acquiring Authority | Purpose of Acquisition |
|--------|---|--|
| PA01 | Head, Transport for Victoria VicRoads | Road Purposes Road widening |
| PA02 | Melbourne Water | Proposed Watsons Creek Reservoir Pipe track |
| PA03 | The minister responsible for | Plenty Gorge Parklands |
| PA04 | Nillumbik Shire Council | Diamond Creek Linear Park Open Space Link Eltham Town Centre Circulatory Road Diamond Creek Trail Extension (Diamond Creek to Hurstbridge) |

THIS PAGE IS INTENTIONALLY LEFT BLANK

NILLUMBIK PLANNING SCHEME

12/12/2019
C119nill

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

1.0

02/07/2020
C126nill
Proposed
GC92

Specific controls

| PS Map Ref | Name of incorporated document |
|-----------------------|---|
| SCO2 | Shire of Nillumbik Site Specific Provisions (January 2000) – refer to Clause No. 1 |
| SCO3 | Shire of Nillumbik Site Specific Provisions (January 2000) – refer to Clause No. 2 |
| SCO4 | Shire of Nillumbik Site Specific Provisions (January 2000) - refer to Clause No. 5 |
| SCO5 | Shire of Nillumbik Site Specific Provisions (January 2000) - refer to Clause No. 6 |
| SCO6 | Shire of Nillumbik Site Specific Provisions (January 2000) - refer to Clause No. 8 |
| SCO7 | Kangaroo Ground Postal Agency Incorporated Document |
| SCO8 | St Vincent's Care Services – Incorporated Document September, 2016 |
| SCO9 | Fitzsimons Lane (Foote Street, Porter Street, Main Road and Leane Drive) Upgrade Project Incorporated Document, December 2019 |
| SCO10 | Garambi Baan (Laughing Waters) Residency Centre Project Incorporated Document, June 2020 |
| SCO11 | Garambi Baan (Laughing Waters) Residency Centre Project Incorporated Document, June 2020 |
| SCO12 | North East Link Project Incorporated Document, December 2019 |
| SCO13 | Yan Yean Road Upgrade (Kurrak Road to Bridge Inn Road) Incorporated Document, August 2020 |

THIS PAGE IS INTENTIONALLY LEFT BLANK

NILLUMBIK PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

16/04/2020
GC148
Proposed
GC92

Maps comprising part of this planning scheme:

- 1, 1ESO1, 1ESO4, 1BMO
- 2, 2EAO, 2ESO1, 2ESO4, 2HO, 2BMO, [2PAO](#), [2SCO](#)
- 3, 3DDO, 3EAO, 3ESO1, 3ESO4, 3HO, 3SLO, 3BMO
- 4, 4ESO1, 4ESO4, 4HO, 4BMO
- 5, 5DDO, 5DPO, 5ESO1, 5ESO3, 5LSIO, 5PAO, 5BMO
- 6, 6DCPO, 6DDO, 6DPO, 6EAO, 6ESO1, 6ESO3, 6HO, 6LSIO, 6PAO, 6BMO, 6SCO
- 7, 7DDO, 7DPO, 7ESO1, 7ESO4, 7HO, 7LSIO, 7PAO, 7RO, 7SBO, 7SLO, 7BMO
- 8, 8DCPO, 8DPO, 8ESO1, 8ESO3, 8HO, 8LSIO, 8PAO, 8BMO, 8SCO
- 9, 9DCPO, 9DDO, 9DPO, 9EAO, 9ESO1, 9ESO4, 9HO, 9LSIO, 9PAO, 9PO, 9SBO, 9SLO, 9BMO
- 10, 10DCPO, 10DPO, 10EAO, 10ESO1, 10ESO4, 10HO, 10LSIO, 10PAO, 10PO, 10SBO, 10SLO, 10BMO
- 11, 11DPO, 11EAO, 11ESO1, 11ESO4, 11HO, 11LSIO, 11PAO, 11RO, 11SLO, 11BMO, 11SCO
- 12, 12ESO1, 12ESO4, 12HO, 12LSIO, 12PAO, 12RO, 12BMO
- 13, 13DDO, 13ESO1, 13ESO4, 13HO, 13LSIO, 13PAO, 13PO, 13SBO, 13SLO, 13BMO, 13SCO
- 14, 14DDO, 14ESO1, 14HO, 14LSIO, 14PAO, 14SBO, 14SLO, 14BMO, 14SCO
- 15, 15DDO, 15ESO1, 15HO, 15LSIO, 15SLO, 15BMO
- 16, 16DDO, 16ESO1, 16ESO4, 16HO, 16LSIO, 16SLO, 16BMO
- 17, 17ESO1, 17LSIO, 17BMO

THIS PAGE IS INTENTIONALLY LEFT BLANK

NILLUMBIK PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0

02/07/2020
C125nill
Proposed
GC92

Incorporated documents

| Name of document | Introduced by: |
|---|----------------------|
| Area B: Diamond Creek North Development Contributions Plan – Area 2, February 2012 | C63 |
| Belle Vue 17-21 Livingstone Road, Eltham Heritage Management Guidelines, August 2011 | C72 |
| Development Contributions Plan, Development Plan Overlay Area A (DPO 1) August 2003 | C22(Part 1) |
| Diamond Creek Trail Extension (Diamond Creek to Hurstbridge) Incorporated Document (November 2017) | C108 |
| Eltham College Master Plan April 2011 | C65 |
| Fitzsimons Lane (Foote Street, Porter Street, Main Road and Leane Drive) Upgrade Project Incorporated Document, December 2019 | GC158 |
| Garambi Baan (Laughing Waters) Residency Centre Project Incorporated Document, June 2020 | C125nill |
| Hurstbridge Line Upgrade Project 2010 | C69 |
| Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017 | GC60 |
| Kangaroo Ground Postal Agency Incorporated Document | C29 |
| North East Link Project Incorporated Document, December 2019 | GC98 |
| Plenty Low Density Area Development Contributions Plan – Area 4, December 2012 | C63 |
| Plenty Valley Christian College Master Plan March 2008 | C48 |
| Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016 | GC57 |
| Shire of Nillumbik Environmental Weed List 2009 | C62 |
| Shire of Nillumbik Site Specific Provisions (January 2000) | NPS1 |
| Site Specific Control: Specified public land within the Nillumbik Planning Scheme (January 2013) | C82 |
| St Vincent's Care Services - Incorporated Document September 2016 | C110 |
| Strathewen Hall Master Plan November 2010 | C68 |
| Yan Yean Road Duplication (Diamond Creek Road to north of Kurrak Road) May 2012 | C67 |
| Yan Yean Road Upgrade (Kurrak Road to Bridge Inn Road) Incorporated Document, August 2020 | GC92 |
| Yarrambat Extension Area Local Structure Plan September 1996 (Revised June 2000) | C8 |
| Yarrambat Local Structure Plan May 1993 (Revised June 2000) | C8 |

THIS PAGE IS INTENTIONALLY LEFT BLANK

NILLUMBIK PLANNING SCHEME - LOCAL PROVISION
AMENDMENT GC92



LEGEND

PAO1 - Public Acquisition Overlay - Schedule 1

Municipal Boundary

Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Environment, Land, Water and Planning 2020

0 890 1,780

Meters

Australian Map Grid Zone 55

NORTH

Planning Group
Printed: 16/07/2020
Amendment Version: 1

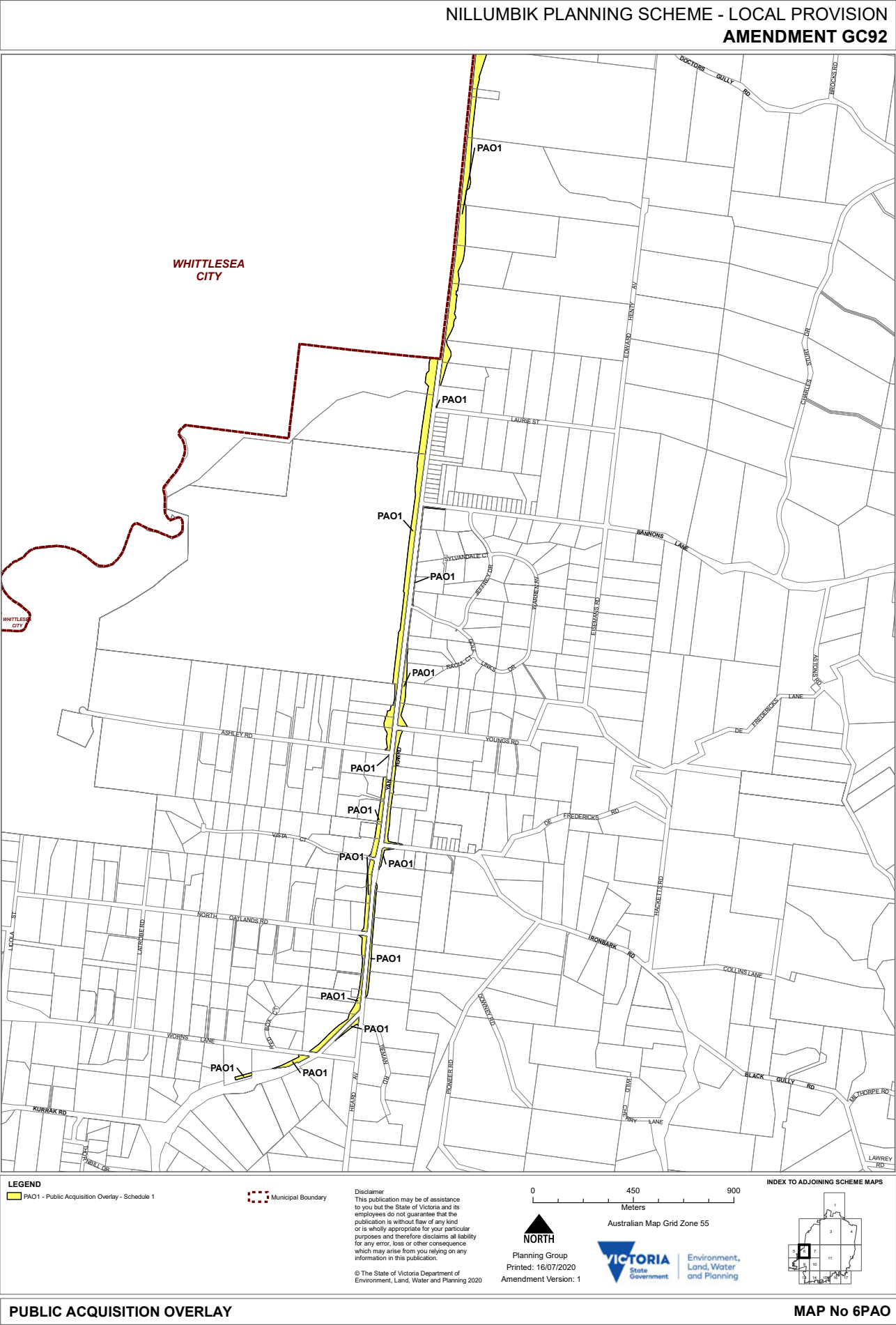
VICTORIA
State Government

Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS

The index map shows a grid of 12 numbered squares. The PAO1 is located in square 1, which is highlighted in yellow. The squares are numbered 1 through 12, with 1 being the top-left square and 12 being the bottom-right square.

THIS PAGE IS INTENTIONALLY LEFT BLANK



THIS PAGE IS INTENTIONALLY LEFT BLANK

NILLUMBIK PLANNING SCHEME - LOCAL PROVISION
AMENDMENT GC92



LEGEND

SCO13 - Specific Controls Overlay - Schedule 13

Municipal Boundary

Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Environment, Land, Water and Planning 2020

0 890 1,780

Meters

Australian Map Grid Zone 55

NORTH

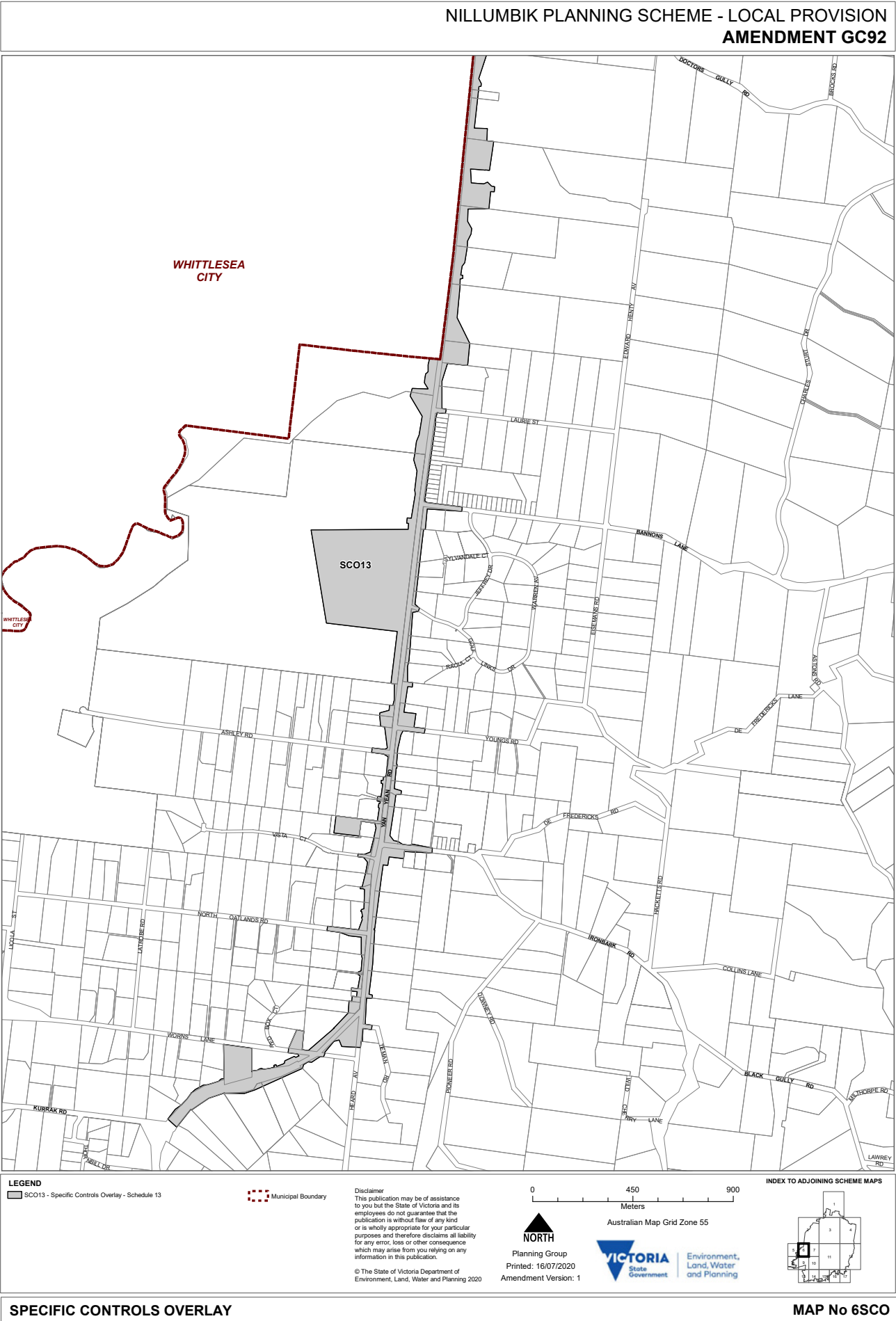
Planning Group
Printed: 16/07/2020
Amendment Version: 1

VICTORIA
State Government

Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS

THIS PAGE IS INTENTIONALLY LEFT BLANK



THIS PAGE IS INTENTIONALLY LEFT BLANK

WHITTLESEA PLANNING SCHEME

27/05/2019
C239wsea

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0

27/03/2020
C240wsea
Proposed
GC92

Public acquisition

| PS map ref | Acquiring Authority | Purpose of acquisition |
|------------|--|--|
| PA01 | Parks Victoria | Acquisition by Parks Victoria for Open Space Purposes |
| PA02 | Head, Transport for Victoria VicRoads | Acquisition by VicRoads for Road Purposes |
| PA04 | Whittlesea City Council | Acquisition by Whittlesea City Council for Open Space Purposes |
| PA05 | Whittlesea City Council | Acquisition by Whittlesea City Council for Public Car Parking Purposes |
| PA06 | Roads Corporation | Outer Metropolitan Ring / E6 Transport Corridor |
| PA07 | Director of Public Transport | Outer Metropolitan Ring / E6 Transport Corridor – Rail Connections |
| PA09 | Yarra Valley Water | Amaroo and Lockerbie Main Sewer Project |
| PA010 | Yarra Valley Water | Drainage and Distribution of Water |
| PA011 | Secretary of the Department of Economic Development, Jobs, Transport and Resources | Mernda Rail Extension Project – Transport interchange and car park at Mernda |
| PA012 | Melbourne Water | Drainage Purposes |
| PA013 | Secretary of the Department of Transport | Donnybrook Car Park Upgrade |
| PA014 | Minister for Education | Education purposes |

THIS PAGE IS INTENTIONALLY LEFT BLANK

WHITTLESEA PLANNING SCHEME

23/05/2019
C229wsea

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

1.0

19/06/2020
GC135
Proposed
GC92

Specific controls

| PS Map Ref | Name of incorporated document |
|-----------------------|---|
| SCO1 | Kaufland Supermarket and complementary uses, 592-694 High Street, Epping, Incorporated Document, March 2019 |
| SCO2 | Site specific control - Pump and associated works for the establishment and maintenance of Growling Grass Frog habitat, August 2009 |
| SCO3 | Woolworths Oxygen, South Morang, February 2011 |
| SCO4 | Macedonian Orthodox Church, 130 Springs Road, Donnybrook, June 2013 |
| SCO5 | Site Specific Control - 1435 Plenty Road, Mernda, August 2014 |
| SCO6 | Donnybrook Car Park Upgrade, Incorporated Document, March 2019 |
| SCO7 | Childs Road (Midway Crescent to Prince of Wales Avenue) Upgrade Project Incorporated Document, February 2019 |
| SCO9 | Bridge Inn Road (Plenty Road to Yan Yean Road) Upgrade Project Incorporated Document, October 2019 |
| SCO10 | Epping Road (Craigieburn Road to Memorial Avenue) Upgrade Project Incorporated Document, November 2019 |
| SCO11 | Consent Notice No. 2 - Bicycle Shop Development at No. 500-510 High Street, Epping |
| SCO12 | North East Link Project Incorporated Document, December 2019 |
| SCO13 | Yan Yean Road Upgrade (Kurruk Road to Bridge Inn Road) Incorporated Document, August 2020 |
| SCO14 | Shepparton Line Upgrade Incorporated Document, April 2020 |

THIS PAGE IS INTENTIONALLY LEFT BLANK

WHITTLESEA PLANNING SCHEME

23/05/2019
C229wsea

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

19/06/2020
GC435
Proposed
GC92

Maps comprising part of this planning scheme:

- 1, 1BMO, 1DCPO, 1ESO, 1HO, 1PAO, 1RFO, 1SCO
- 2, 2BMO, 2HO
- 3, 3BMO, 3HO
- 4, 4DCPO, 4ESO, 4HO, 4ICO, 4IPO, 4LSIO, 4PAO, 4RFO, 4SCO
- 5, 5BMO, 5ESO, 5HO, 5ICO, 5IPO, 5PAO, 5RFO, 5RO, 5SLO
- 6, 6BMO, 6DPO, 6HO, 6LSIO, 6RFO, 6RO, 6SLO
- 7, 7BMO, 7DPO, 7HO, 7LSIO, 7RO
- 8, 8BMO, 8DPO, 8HO, 8RO, 8RFO, 8SLO
- 9, 9BMO, 9HO
- 10, 10DCPO, 10DDO, 10DPO, 10ESO, 10HO, 10IPO, 10PAO, 10RFO, 10VPO
- 11, 11DCPO, 11DDO, 11DPO, 11ESO, 11HO, 11IPO, 11LSIO, 11PAO, 11RFO, 11RXO, 11VPO
- 12, 12DCPO, 12DPO, 12ESO, 12HO, 12IPO, 12LSIO, 12PAO, 12RFO, 12SLO, 12SCO, 12VPO
- 13, 13DCPO, 13DPO, 13ESO, 13HO, 13IPO, 13PAO, 13RFO, 13SLO, 13SCO, 13VPO
- 14, 14BMO, 14DCPO, 14DDO, 14DPO, 14HO, 14IPO, 14PAO, 14RFO, 14SCO, 14VPO
- 15, 15DDO, 15DPO, 15ESO, 15LSIO, 15PAO, 15RFO, SCO15
- 16, 16DCPO, 16DDO, 16DPO, 16EAO, 16ESO, 16HO, 16LSIO, 16PO, 16PAO, 16RFO, 16RXO, 16SCO, 16VPO
- 17, 17DCPO, 17DDO, 17DPO, 17ESO, 17HO, 17IPO, 17LSIO, 17PAO, 17PO, 17RFO, 17RXO, 17SBO, 17SCO, 17SLO, 17VPO
- 18, 18BMO, 18DCPO, 18DPO, 18HO, 18IPO, 18LSIO, 18PAO, 18RFO, 18SCO, 18SLO, 18VPO
- 19, 19BMO, 19DCPO, 19DPO, 19IPO, [19PAO](#), 19RFO, [19SCO](#), 19VPO
- 20, 20DCPO, 20DDO, 20DPO, 20EAO, 20ESO, 20HO, 20LSIO, 20MAEO, 20PAO, 20PO, 20RXO, 20SBO
- 21, 21DCPO, 21DDO, 21EAO, 21DPO, 21HO, 21LSIO, 21PAO, 21PO, 21SBO, 21SCO, 21VPO
- 22, 22BMO, 22DCPO, 22DPO, 22HO, 22LSIO, 22RFO, 22RXO, 22SBO, 22SCO, 22VPO

THIS PAGE IS INTENTIONALLY LEFT BLANK

WHITTLESEA PLANNING SCHEME

23/05/2019
C229wsea

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

1.0

24/06/2020
GC150
Proposed
GC92

Incorporated documents

| Name of document | Introduced by: |
|---|----------------|
| Amaroo and Lockerbie Main Sewer Project, October 2014. | GC21 |
| Aurora Comprehensive Development Plan, October 2007 | C41(PART 1) |
| Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, Standards Australia Limited, 2015 | VC107 |
| Bridge Inn Road (Plenty Road to Yan Yean Road) Upgrade Project Incorporated Document, October 2019 | GC158 |
| Childs Road (Midway Crescent to Prince of Wales Avenue) Upgrade Project Incorporated Document, February 2019 | C232wsea |
| Consent Notice No. 2 – Bicycle Shop Development at No. 500-510 High Street, Epping | C40 |
| Cooper Street Employment Area Comprehensive Development Plan, March 2018 | C212 |
| Cooper Street Employment Area Design Guidelines, March 2018 | C212 |
| Cooper Street Employment Area Development Contributions Plan | C100 |
| Costa Exchange Mushroom Farm Master Plan 2012 | C133 |
| Donnybrook-Woodstock Infrastructure Contributions Plan, April 2019 | GC134 |
| Donnybrook-Woodstock Precinct Structure Plan, October 2017 | GC28 |
| Donnybrook Car Park Upgrade, Incorporated Document, March 2019 | C229wsea |
| Eden Park Estate Restructured Allotment Plan | NPS1 |
| English Street Precinct Structure Plan, November 2015 | C183 |
| English Street Development Contributions Plan, November 2015 (Amended June 2017) | GC75 |
| Epping Central Development Contributions Plan (Amended June 2017) | GC75 |
| Epping North East Local Structure Plan Development Contributions Plan, May 2008 | C81(PART 1) |
| Epping North East Local Structure Plan, May 2008 | C81(PART 1) |
| Epping North Local Structure Plan, September 2002 | C12 |
| Epping North Strategic Plan, September 2002 | C12 |
| Epping Road (Craigieburn Road to Memorial Avenue) Upgrade Project Incorporated Document, November 2019 | GC158 |
| Grants Road Restructure Allotment Plan | NPS1 |
| Harvest Home Local Structure Plan, February 2002 | C12 |
| High Street, Reservoir Level Crossing Removal Project Incorporated Document, March 2018 | C237wsea |
| Humevale Road Restructured Allotment Plan | NPS1 |
| Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017 | GC60 |
| Kaufland Supermarket and complementary uses, 592-694 High Street, Epping, Incorporated Document, March 2019 | GC123 |
| Laurimar Town Centre Comprehensive Development Plan | C80 |

WHITTLESEA PLANNING SCHEME

| Name of document | Introduced by: |
|--|----------------|
| Lockerbie Development Contributions Plan, May 2012 (Amended June 2017) | GC75 |
| Lockerbie Native Vegetation Precinct Plan, May 2012 | C161 |
| Lockerbie North Development Contributions Plan, March 2012 (Amended August 2017) | GC75 |
| Lockerbie North Native Vegetation Precinct Plan, March 2012 | C162 |
| Lockerbie North Precinct Structure Plan, March 2012 | C162 |
| Lockerbie Precinct Structure Plan, May 2012 | C161 |
| Lyndarum Neighbourhood Activity Centre Comprehensive Development Plan | C108 |
| Macedonian Orthodox Church, 130 Springs Road, Donnybrook, June 2013 | C172 |
| Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018 | GC96 |
| Melbourne Wholesale Market Precinct Incorporated Plan, July 2008 | C20 |
| Mernda Local Structure Plan Part 1 (Mernda Incorporated Plan) | NPS1 |
| Mernda Rail Extension Project Incorporated Document, October 2016 (amended November 2016) | C205 |
| Mernda Rail Extension Project – Additional Project Areas, Incorporated Document, September 2017 | C211 |
| Mernda Strategy Plan (Amended December 2016) | C123 |
| Mernda Strategy Plan Development Contributions Plan (Amended 2008) | C39 |
| Mernda Town Centre Comprehensive Development Plan | C45 |
| Mernda Villages Neighbourhood Centre Comprehensive Development Plan | C95 |
| Myee 250 O'Herns Road Epping March 2018 | C209wsea |
| North East Link Project Incorporated Document, December 2019 | GC98 |
| Peter Lalor Housing Cooperative Precinct Permit Exemptions, May 2014 | C189 |
| Plenty Road Upgrade (Bush Boulevard to Bridge Inn Road) Incorporated Document, February 2018 | C220 |
| Plenty Valley Strategic Plan | NPS1 |
| Quarry Hills Precinct Structure Plan, June 2016 | C188 |
| Quarry Hills Development Contributions Plan, June 2016 (Amended June 2017) | GC75 |
| Shepparton Line Upgrade Incorporated Document, April 2020 | GC135 |
| Site Specific Control – 1435 Plenty Road, Mernda, August 2014 | C193 |
| Site Specific Control – Plenty Gorge Parklands, January 2009 | C72 |
| Site specific control – Pump and associated works for the establishment and maintenance of Growling Grass Frog habitat, August 2009 | C132 |
| <i>Small Lot Housing Code</i> (Victorian Planning Authority, November 2019) | GC150 |
| South Morang Local Structure Plan | NPS1 |
| Statement of Underlying Provisions - Land reserved for the Outer Metropolitan Ring and the E6 Transport Corridor, July 2010 (updated May 2012) | C167 |
| Whittlesea Township Local Structure Plan | NPS1 |
| Wollert Precinct Structure Plan, June 2017 | C210 |

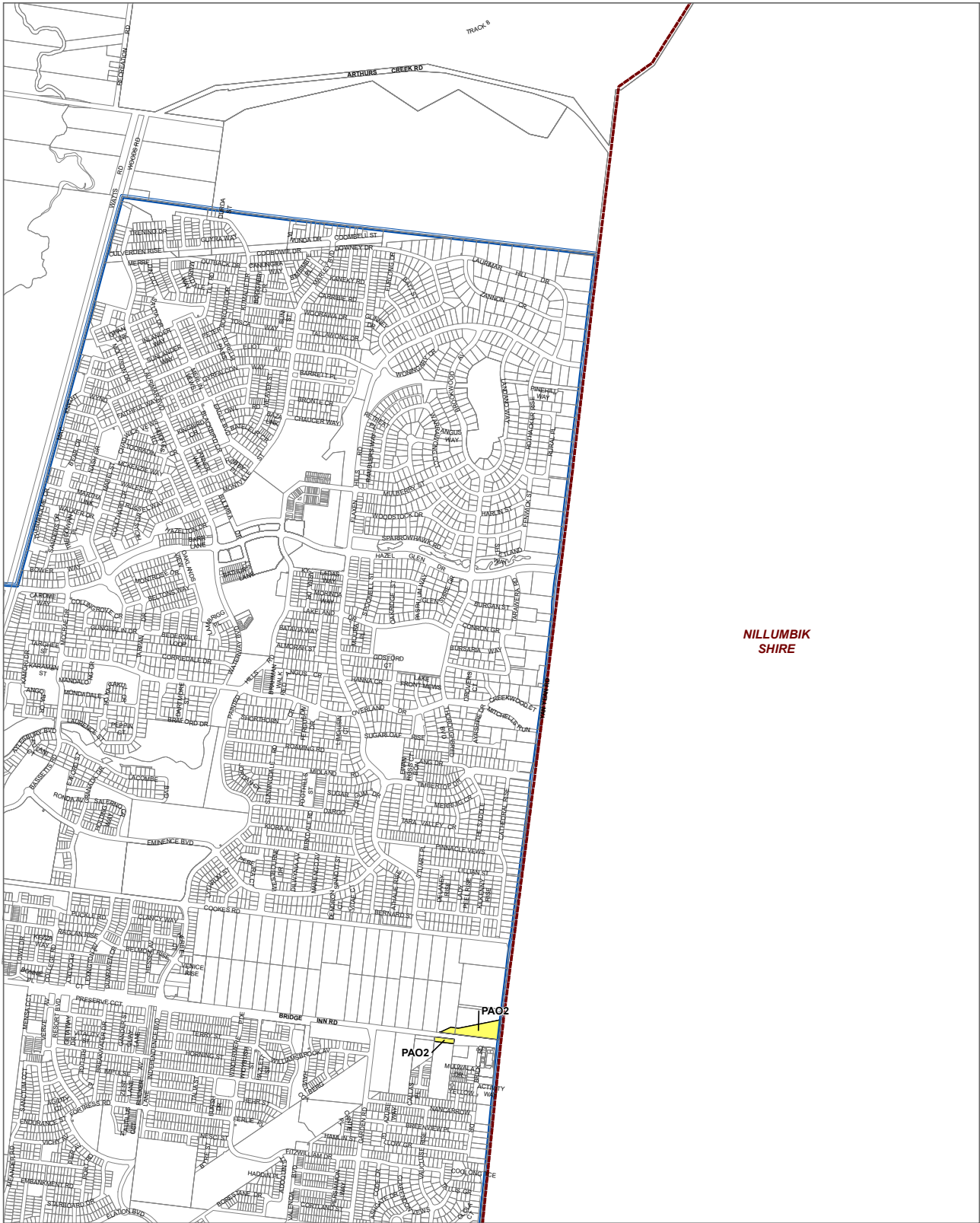
WHITTLESEA PLANNING SCHEME

| Name of document | Introduced by: |
|---|----------------------|
| Wollert Development Contributions Plan, June 2017 | C210 |
| Woolworths Oxygen, South Morang, February 2011 | C155 |
| Yan Yean Road Upgrade (Kurruk Road to Bridge Inn Road) Incorporated Document, August 2020 | GC92 |

Draft

THIS PAGE IS INTENTIONALLY LEFT BLANK

WHITTLESEA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT GC92



NILLUMBIK
SHIRE

LEGEND
PAO2 - Public Acquisition Overlay - Schedule 2

Municipal Boundary
Land Outside Urban Growth Zone

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Environment, Land, Water and Planning 2020

0 450 900
Meters
Australian Map Grid Zone 55

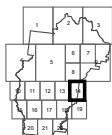


Planning Group
Printed: 16/07/2020
Amendment Version: 1



Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS

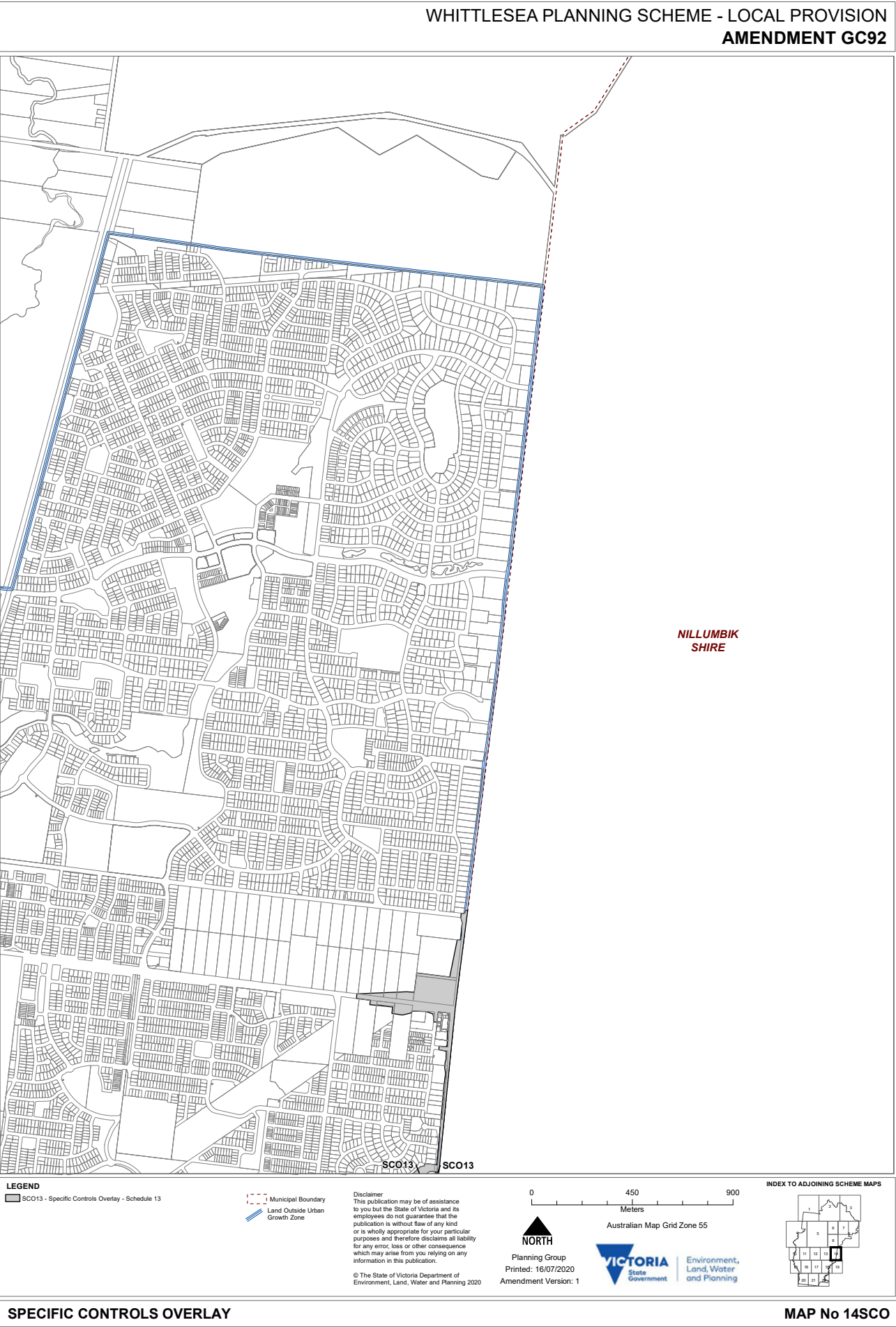


THIS PAGE IS INTENTIONALLY LEFT BLANK

**NILLUMBIK
SHIRE**

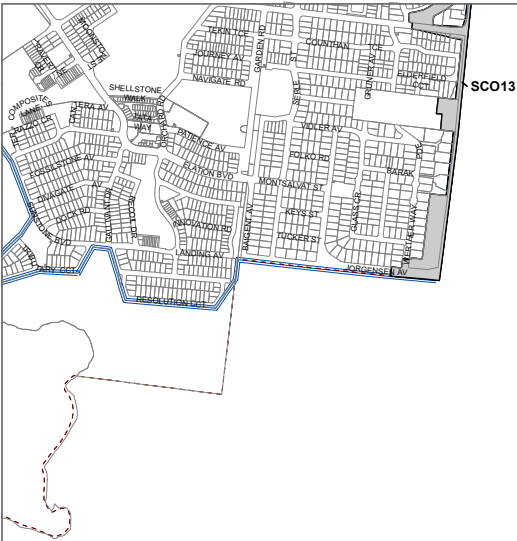
NILLUMBIK
SHIRE[illegible]

THIS PAGE IS INTENTIONALLY LEFT BLANK



THIS PAGE IS INTENTIONALLY LEFT BLANK

WHITTLESEA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT GC92



NILLUMBIK
SHIRE

LEGEND
SCO13 - Specific Controls Overlay - Schedule 13

Municipal Boundary
Land Outside Urban
Growth Zone

Disclaimer
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

© The State of Victoria Department of Environment, Land, Water and Planning 2020

0 450 900
Meters

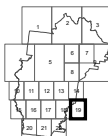


Planning Group
Printed: 16/07/2020
Amendment Version: 1



Environment,
Land, Water
and Planning

INDEX TO ADJOINING SCHEME MAPS



THIS PAGE IS INTENTIONALLY LEFT BLANK

Yan Yean Road (Kurrak Road to Bridge Inn Road) (Stage 2) Upgrade Project

Incorporated Document

August 2020

DRAFT

1. INTRODUCTION

- 1.1 This document is an incorporated document in the Nillumbik and Whittlesea Planning Schemes (planning schemes) pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*.
- 1.2 This incorporated document facilitates the delivery of the Yan Yean Road (Kurruk Road to Bridge Inn Road) (Stage 2) upgrade project (project).
- 1.3 The control in this incorporated document prevails over any contrary or inconsistent provision in the planning schemes.

2. PURPOSE

- 2.1 The purpose of the control in this incorporated document is to permit and facilitate the use and development of land described in Clause 3 for the purposes of the project.

3. LAND TO WHICH THIS INCORPORATED DOCUMENT APPLIES

- 3.1 The control in this document applies to land shown as SCO13 on the planning scheme maps forming part of the planning schemes (project land).

4. CONTROL

Exemption from Planning Scheme Requirements

- 4.1 Despite any provision to the contrary or any inconsistent provision in the planning schemes, no planning permit is required for, and no provision in the planning schemes operates to prohibit, restrict or regulate the use and development of the Project Land for the purposes of, or relating to, constructing, maintaining or operating the project.
- 4.2 The use and development of the Project Land for the purposes of, or related to, the Project includes, but is not limited to:
 - a. The upgrade, duplication and widening of Yan Yean Road to provide for two lanes in each direction, associated service and turning lanes.
 - b. Intersection upgrades and improvements including to provide controlled intersections at North Otlands Road, Ironbark Road, Bannons Lane, Jorgensen Avenue, Orchard Road and Bridge Inn Road.
 - c. Walking and cycling infrastructure and facilities including shared user and walking paths;
 - d. Utility installation and relocation and associated services.
 - e. Earthworks and related structures, kerbs, channels, water and soil transfer facilities and works, water quality facilities, retaining walls, cuttings, batters and fill associated with the project.
 - f. Creating or altering access to roads, including roads in a Road Zone Category 1, Road Zone Category 2 or land in a Public Acquisition Overlay.
 - g. Any buildings and works or associated infrastructure and activities for the Project.
 - h. Ancillary activities to the use and development of the Project Land for the purposes of, or related to, the Project including, but not limited to:
 - i) Developing and using lay down areas for construction purposes.
 - ii) Stockpiling of excavation material.

- iii) Constructing and using temporary site workshops and storage administration and amenities buildings.
- iv) Removing, destroying and lopping trees and vegetation, including native and dead vegetation
- v) Constructing scaffolding, working platforms and provision of pedestrian access to construction or maintenance sites.
- vi) Demolishing and removing buildings, fixtures, structures, infrastructure and works
- vii) Constructing and carrying out works to install, upgrade, alter or relocate services and utilities.
- viii) Constructing and using temporary access roads, diversion roads and vehicle parking areas.
- ix) Constructing fences, site barriers and site security.
- x) Constructing or carrying out works to create or alter roads, car parking areas, access points, bunds, mounds, shared use and walking paths, landscaping, excavate land, salvage artefacts and alter drainage.
- xi) Earthworks including cutting and spoil removal, and formation of drainage works.
- xii) Displaying construction, directional and business identification signs.
- xiii) Subdividing and consolidating land.
- xiv) Storage and assembly of materials and equipment.
- xv) Restoration and reinstatement works.

Conditions

- 4.3 The use and development permitted by this document must be undertaken in accordance with the following conditions:

4.4 Environmental Management Framework

4.4.1 Prior to the commencement of development (excluding preparatory buildings and works under Clause 4.11), an Environmental Management Framework (EMF) must be prepared, in consultation with Nillumbik Shire Council and Whittlesea City Council (the councils), to the satisfaction of the Minister for Planning. The EMF must include Environmental Performance Requirements (EPRs) addressing the following areas and any other relevant matters:

- a. Aboriginal cultural heritage
- b. Air quality.
- c. Arboriculture.
- d. Business
- e. Contaminated land
- f. Ecology
- g. Environmental Management Framework
- h. Groundwater
- i. Historical heritage
- j. Land use planning
- k. Landscape and visual
- l. Noise and vibration
- m. Social
- n. Surface water
- o. Transport
- p. Vegetation

4.4.2 The EMF must set out the process and timing for development of the Construction Site Environmental Management Plan, Site Environmental Management Plans and

other plans and procedures required by the EPRs, including the process and timing for consultation as required by the EPRs.

4.4.3 The EMF submitted to the Minister for Planning for approval under clause 4.4.1 must be accompanied by a statement explaining any difference between it, and the matters set out in the Minister's Assessment under the *Environment Effects Act 1978* dated [insert date].

4.4.4 The EMF may be amended from time to time with the approval of the Minister for Planning.

4.4.5 The EMF must be amended to update references and requirements to be consistent with the *Environment Protection (Amendment) Act 2018*, to the satisfaction of the Minister for Planning. The amended EMF must be prepared in consultation with the Environment Protection Authority and must be submitted to the Minister for Planning for approval within 12 months of the commencement of the *Environment Protection (Amendment) Act 2018*.

4.4.6 The use and development of the Project must be carried out in accordance with the approved EMF.

4.5 Native Vegetation

- 4.5.1 Prior to removal of native vegetation (excluding native vegetation removed under Clause 4.11), information about that native vegetation in accordance with Application Requirements 1, 5 and 9 of the *Guidelines for removal, destruction or lopping of native vegetation (DELWP, December 2017)* (Guidelines) must be provided to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning (DELWP). For the avoidance of doubt, the information provided to the Secretary to DELWP must include information about any native vegetation that has been, or is to be, removed under Clause 4.11.
- 4.5.2 Prior to removal of native vegetation (excluding native vegetation removed under Clause 4.11), the biodiversity impacts from the removal of that native vegetation must be offset in accordance with the Guidelines, and evidence that the required offset(s) has been secured must be provided to the Secretary to DELWP.
- 4.5.3 In exceptional circumstances, the Secretary to DELWP may vary the timing requirement in Clause 4.5.2.
- 4.5.4 The secured offset(s) for the project may be reconciled at the completion of the project in accordance with the *Assessor's handbook – Applications to remove, destroy or lop native vegetation* (DELWP, 2018).
- 4.5.5 For the purposes of this incorporated document, the term 'remove native vegetation' includes to destroy and/or lop native vegetation.

4.6 Heritage

- 4.6.1 Where, but for this Incorporated Document, a planning permit would be required for buildings and works within Heritage Overlay HO191 River Red Gums (2) under the Nillumbik Planning Scheme, a Heritage Impact Statement must be prepared, in consultation with Nillumbik Shire

Council, to the satisfaction of the Minister for Planning prior to the commencement of such buildings and works.4.6.2The recommendations of any Heritage Impact Statement prepared under clause 4.6.1 must be implemented to the satisfaction of the Minister for Planning.

4.7 Dry Stone Walls

- 4.7.1 Where, but for this incorporated document, a planning permit would be required to demolish, remove or alter a dry stone wall within the City of Whittlesea, a Dry Stone Wall Management Plan must be prepared, in consultation with Whittlesea City Council, to the satisfaction of the Minister for Planning prior to the commencement of such demolition, removal or alteration works.
- 4.7.2 The Dry Stone Wall Management Plan prepared under clause 4.7.1 must be consistent with the relevant provisions of Clause 22.04 (Heritage Conservation Policy) of the Whittlesea Planning Scheme to the satisfaction of the Minister for Planning.

4.8 Utility Installation

- 4.8.1 Where, but for this incorporated document, a planning permit would be required under the planning schemes for buildings and works associated with an above-ground utility installation, site plans and elevations must be prepared to the satisfaction of the Minister for Planning prior to the commencement of such buildings and works.

4.9 Green Wedge Land

- 4.9.1 Land outside the urban growth boundary must not be subdivided into more lots or into smaller lots, unless the subdivision would not be prohibited under the planning scheme controls that would apply but for this Incorporated Document.

4.10 Other Conditions

- 4.10.1 Unless otherwise stated, the conditions in Clause 4 may be satisfied for separate components or stages of the Project but each condition must be satisfied prior to the commencement of development for that component or stage.
- 4.10.2 The plans and documents required under Clause 4 may be amended from time to time to the satisfaction of the Minister for Planning or the relevant approving authority. In deciding whether a plan or document is satisfactory or whether to consent to an amendment to a plan or document, the Minister for Planning or the relevant approving authority, may seek the views of Nillumbik Shire Council and Whittlesea City Council, or any other relevant approving authority.
- 4.10.3 The use and development of the project must be undertaken generally in accordance with the plans and documents approved under Clauses 4.6. 4.7 and 4.8.

4.11 Preparatory Buildings and Works

- 4.11.1 Preparatory buildings and works may be undertaken on the Project Land before the conditions set out in Clauses 4.4 to 4.10 are satisfied.

4.11.2 Preparatory works for the Project include, but are not limited to:

- a. Works, including vegetation removal, where, but for this incorporated document, a planning permit would not be required under the provisions of the planning schemes.
- b. Investigation, testing and preparatory works to determine the suitability of land, and property condition surveys.
- c. Construction and use of access points and working platforms.
- d. Site establishment works including temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- e. Construction, protection, modification, removal or relocation of utility services and associated infrastructure.
- f. Establishment of environmental and traffic controls, including designation of “no-go” zones.
- g. Establishment of temporary car parking.
- h. Demolition to the minimum extent necessary to enable preparatory works.
- i. Removal of native vegetation to the minimum extent necessary to enable preparatory buildings and works.
- j. Salvage of aboriginal cultural heritage material and other management actions required to be undertaken in compliance with a Cultural Heritage Management Plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act.

4.11.3 Prior to the removal of native vegetation under Clause 4.11, information about the native vegetation to be removed must be provided to the Secretary to DELWP. The information provided to the Secretary to DELWP must include a description of, and maps showing, the native vegetation to be removed in accordance with Application Requirement 1 of the Guidelines.

4.11.4 The biodiversity impacts from the removal of native vegetation under Clause 4.11 must be included in the total biodiversity impacts when determining the offset(s) in accordance with Clause 4.5.2.

5. EXPIRY

5.1 The controls in this document expire if any of the following circumstances apply:

- The development allowed by the control is not started by 1 July 2024.
- The development allowed by the control is not completed by 31 December 2029.

5.2 The Minister for Planning may extend these periods if a request is made in writing before the expiry date or within three months afterwards.