Planning and Environment Act 1987

GREATER DANDENONG PLANNING SCHEME

AMENDMENT C227GDAN

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). a part of the Major Transport Infrastructure Authority (MTIA). MTIA is an administrative office established under the *Public Administration Act 2004*, in relation to the Department of Transport (DOT).

Land affected by the amendment

The Amendment applies to additional land required for the Pound Road West Upgrade Project (the project) between South Gippsland Highway and Abbotts Road, Dandenong South. A map of the project is provided below.

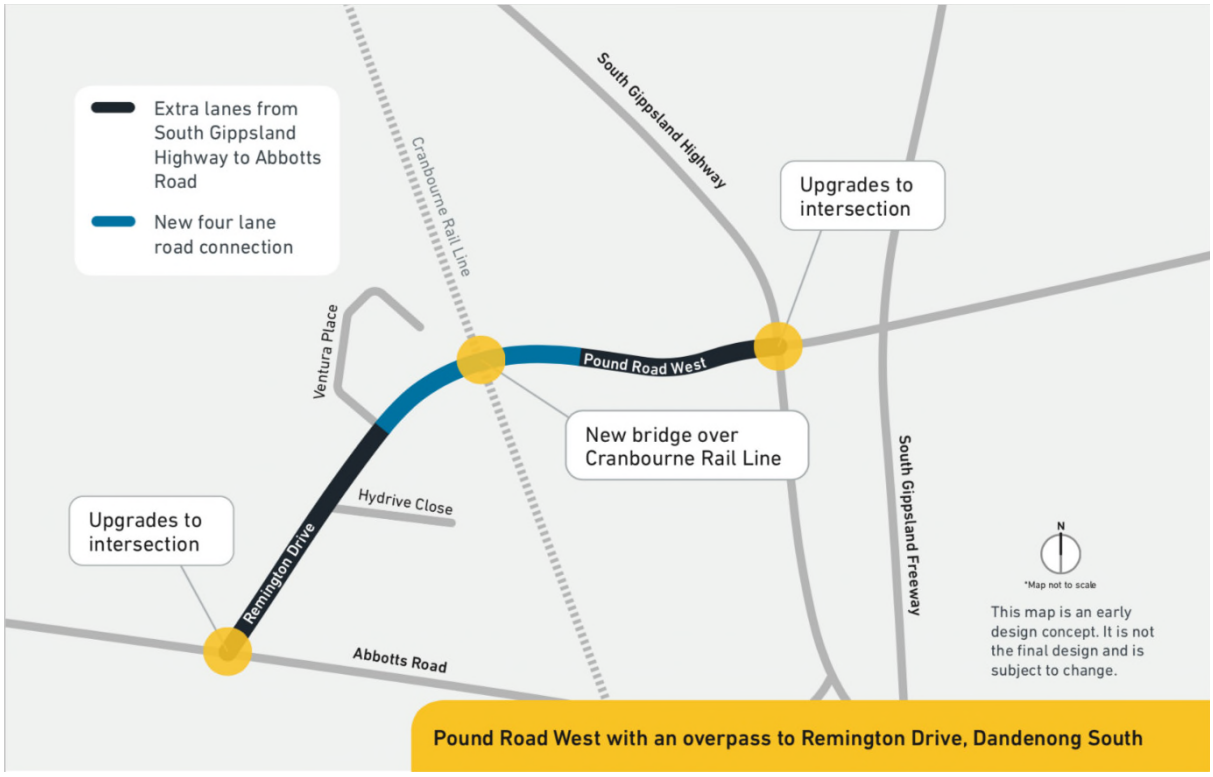

Figure 1 – Project map

The amendment extends the existing project area (as defined by the Specific Controls Overlay 9 in the Greater Dandenong Planning Scheme) to include additional project land. The additional project land (the site) is approximately 1.27 hectares in size and located along South Gippsland Highway to the north of the intersection with Pound Road and Pound Road West, extending from the end of the current project area to Carter Way, Dandenong South. The site is shown in Figure 2, below.

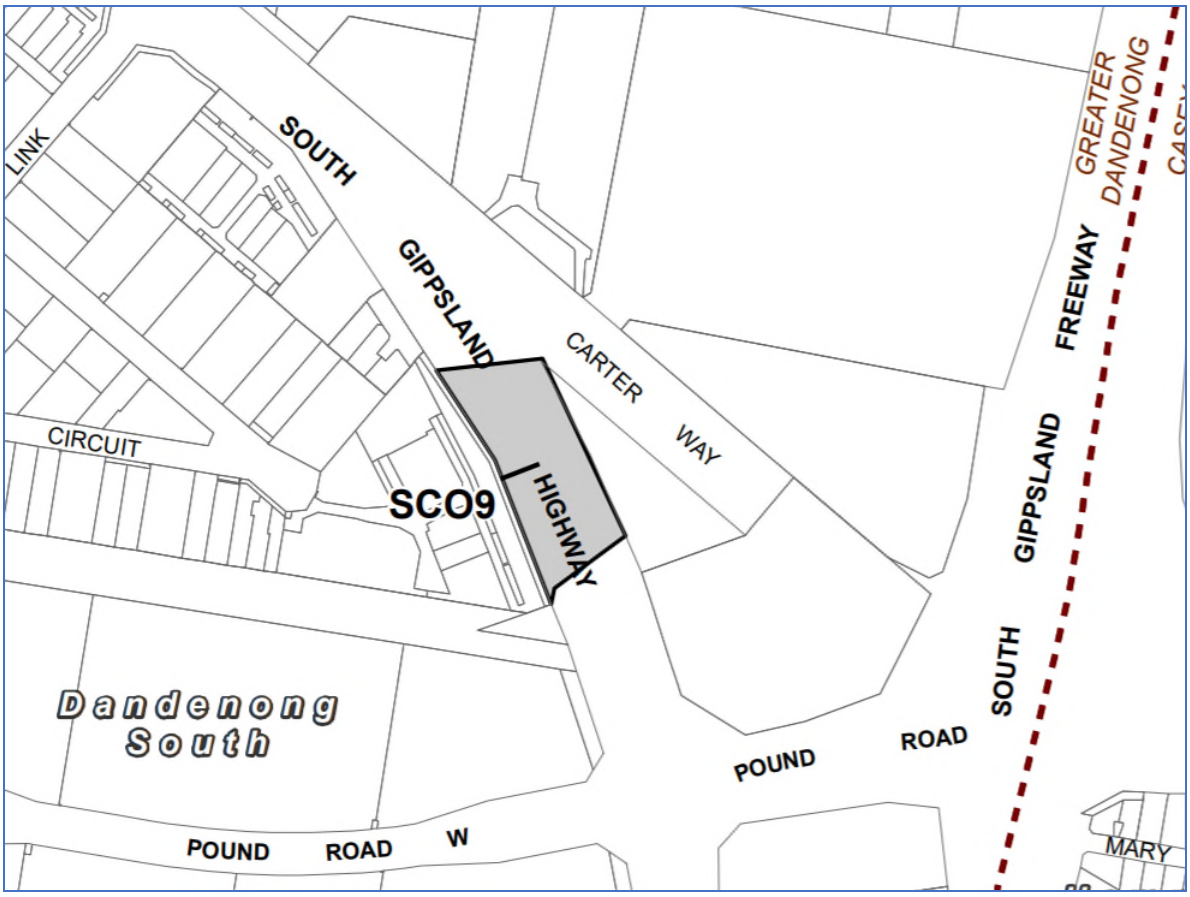

Figure 2 – Subject site, additional project land

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

The Amendment extends the boundary of Specific Controls Overlay – Schedule 9 (SCO9) and application of the *Pound Road West (Abbotts Road to South Gippsland Highway) Upgrade Project Incorporated Document, February 2019* (Incorporated Document) to includes additional land required for the project. The additional land is part of the road reserve and no land acquisition is required.

Specifically, the Amendment seeks to:

- Extend application of Clause 45.12 Specific Controls Overlay – Schedule 9 (SCO9) to additional land required for the project and amend Planning Scheme Map No. 9SCO.

Strategic assessment of the amendment

Why is the amendment required?

Amendment C227gdan is required to facilitate the timely and coordinated delivery of the project, and to ensure that the project can commence without delay.

The Pound Road West Upgrade Project (the project) upgrades the existing section of Pound Road West and Remington Drive between Abbotts Road and the South Gippsland Highway, Dandenong South. The project includes a new bridge linking the two roads over the Cranbourne railway line, shared use paths on both sides of the upgraded road, new signalised intersections and dedicated U-turn locations.

Delivery of the project is an important priority and is particularly time critical as investment in transport infrastructure is needed to support the significant growth being experienced in the outer suburbs. The

project will provide a critical bridge over the Cranbourne rail corridor to complete a missing link in this vital east-west arterial connection. It will improve road connections to the Dandenong National Employment and Innovation Cluster (Dandenong NEIC) from nearby freeways, supporting investment in the Dandenong NEIC, improving travel times to this precinct for goods and people, and making it more accessible to a wider employment catchment in the south-east region.

This investment will be regionally significant and a major contributor to the liveability, productivity and economic competitiveness of Melbourne's south-east area. The development of this key piece of transport infrastructure will support the continued planned population growth and development of industry in the south-east growth corridor. It will strengthen investments from the private sector and result in the growth and concentration of jobs and services in the Dandenong NEIC.

On 14 November 2019, Amendment C214gdan to the Greater Dandenong Planning Scheme (Amendment C214gdan) was gazetted which included the *Pound Road West (Abbotts Road to South Gippsland Highway) Upgrade Project Incorporated Document, February 2019* into the Greater Dandenong Planning Scheme. The Incorporated Document exempts the project, as defined by SCO9, from the need for a planning permit, subject to requirements.

Detailed design development has identified the need for the additional land, to deliver extended dual left turn lanes on South Gippsland Highway (north approach) into Pound Road, to improve traffic flow and signalling arrangements.

Ancillary works to occur in the additional land, subject to the conditions of the incorporated document, include drainage works, culvert construction and native vegetation removal.

The native vegetation removal is proposed to include the removal of one small scattered native tree and an aquatic herbland patch (EVC 653), which will be subject to native vegetation removal offset requirements outlined in the Incorporated Document. This removal will also require a permit under the *Flora and Fauna Guarantee Act 1988.*

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

The amendment implements the following objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987*:

1(a) To provide for the fair, orderly, economic and sustainable use, and development of land

1(b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity

1(c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria

1(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.

1(e) To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.

1(g) To balance the present and future interests of all Victorians.

The Amendment facilitates the identification of additional land required to deliver a project that will increase the capacity, reliability, efficiency and safety of Melbourne's transport network and addresses critical gaps in infrastructure provision required to support the growing population and economic activity in Melbourne's outer suburbs. The Incorporated Document ensures that any environmental, social and economic effects of the project are appropriately managed and mitigated.

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

The environmental, social and economic effects of the project were considered as part of Amendment C214gdan, which was gazetted on 14 November 2019. These are summarised below.

Environmental effects

A number of technical assessments were undertaken as part of Amendment C214gdan including flora and fauna, surface and groundwater, environmental site investigations, air quality screening, noise assessment and Aboriginal cultural heritage. The Incorporated Document requires the preparation and approval of an Environmental Management Strategy includes specific measures to reduce or

manage environmental and amenity effects and a summary of performance monitoring and reporting processes.

To supplement the existing flora and fauna impact assessment for the project, a native vegetation and offset requirement assessment was completed for the additional land area subject to this Amendment (C227gdan). Native vegetation requiring a planning permit for removal was identified; specifically, one (1) small scattered native tree and an aquatic herbland patch (EVC 653). Native vegetation removal will be managed under the relevant conditions of the Incorporated Document. Additional offsets will be secured in accordance with *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DELWP December 2017).

Social effects

Prior to approval of Amendment C214gdan consultation was undertaken to understand the views of the community and directly affected landowners and feedback was considered. In addition to benefits to business, the broader community will benefit from improved access to jobs and conveniences in the area and greater coverage and continuity of pedestrian and cycle networks.

Economic effects

The benefits for road users and freight are significant due to reduced travel times, lower vehicle operating costs and improved reliability. The broader community will benefit from improved transport network resilience, safety and liveability. In addition, the project will generate wider economic benefits such as improved accessibility to jobs and services.

Does the amendment address relevant bushfire risk?

The Amendment will not increase the risk to life, property, community infrastructure and the natural environment from bushfire.

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

The Amendment:

- complies with the *Ministerial Direction on the Form and Content of Planning Schemes* and addresses the requirements of *Minister's Direction No. 11 Strategic Assessment of Amendments.*
- is consistent with *Minister's Direction No. 9 Metropolitan Planning Strategy* by facilitating a project which will deliver key benefits including increased road safety, improved road infrastructure, greater connectivity and travel options and reduced congestion.
- Is not anticipated to have a significant impact on Victoria's environment, amenity and/or human health noting *Minister's Direction No. 19 – Preparation and content of amendments that may significantly impact the environment, amenity and human health* was addressed as part of Amendment C214gdan.

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

The Amendment supports and assists in the implementation of the State Planning Policy Framework (SPPF) as follows:

- Clause 11 (Settlement) – by identifying additional land needed to provide infrastructure which will improve travel times and connectivity on a key arterial road in Melbourne's south-east, thereby improving access to jobs and services in the south-eastern suburbs and growth areas.
- Clause 12 (Environmental and Landscape Values) - by seeking to avoid and minimise potential impacts on native vegetation, with native vegetation offsets will be obtained in accordance with the Guidelines for the Removal, Destruction or Lopping of Native Vegetation (DELWP, December 2017).
- Clause 13 (Environmental Risks) – by minimising environmental risks through the preparation and approval of an Environmental Management Strategy for the project that will include an overarching

management framework and specific measures to manage environmental and amenity impacts during design, construction and maintenance phase activities.

- Clause 14 (Natural Resource Management) – by consulting with Melbourne Water during detailed design phase of the project and undertaking the project in accordance with EPA best practice environmental management guidelines.
- Clause 15 (Built Environment and Heritage) – by supporting the integration of the transport network and improving safety and movement of goods and people to meet local and regional needs. A Cultural Heritage Management Plan has also been prepared (CHMP No. 15935).
- Clause 17 (Economic Development) – by supporting the economic prosperity of existing industrial and commercial precincts in Melbourne's south-eastern suburbs through increased access and reduced travel times.
- Clause 18 (Transport) – by improving connectivity, freight links and access to employment areas via private vehicles, public transport, walking and cycling.
- Clause 19 (Infrastructure) – by identified additional land needed to implement a project which is consistent with strategic planning for the south-eastern sub-region.

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

The Amendment, in identifying additional land needed to deliver the project, supports and assists in the implementation of the following clauses of the Local Planning Policy Framework (LPPF) and specifically the Municipal Strategic Statement (MSS):

- Clause 21.02 (Municipal Profile) – by supporting existing and future industry, businesses, and residents through mitigating capacity constraints on a key arterial road and strengthening local and regional connections.
- Clause 21.03 (A Vision for Greater Dandenong) – by improving access to the Dandenong NEIC in accordance with Council's vision for this road to become a strategic arterial road corridor connecting two sides of the railway, whilst promoting separated cycle and pedestrian paths.
- Clause 21.04 (Land Use) – by supporting the planned growth of the Dandenong NEIC through completion of a key east-west link which will ultimately provide a connection from the South Gippsland Freeway to Eastlink.
- Clause 21.07 (Infrastructure and Transportation) – by supporting the efficiency of the road network and improving access to the Port of Hastings, major industry, and sub-regional airports.

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

The Greater Dandenong Planning Scheme does not include a Municipal Planning Strategy at Clause 02.

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

The Amendment makes proper use of the Victoria Planning Provisions by extending the existing SCO9 boundary to identify additional land required for the timely and coordinated delivery of the project. Extending the SCO9 boundary will allow the use and development of the additional land for the purposes of and in accordance with the requirements within the Incorporated Document.

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

Due to the additional project land being within the existing road reserve and the extensive process of community engagement conducted for Amendment C214gdan, consultation was targeted to seeking the views of Greater Dandenong City Council.

MRPV sought the views of Greater Dandenong City Council. Council officers wrote to MRPV to advise that council has no objection to the amendment and the use of Section 20(4) of the *Planning and Environment Act 1987.* Council continues to be involved in the project's design and planning process.

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

The Amendment identified additional land required for a project which will have a positive impact on the transport system as defined in Section 3 of the *Transport Integration Act 2010.* The Amendment, as it contributes to the wider project, addresses key transport system objectives and decision-making principles set out in Part 2, Divisions 2 and 3 of the *Transport Integration Act 2010* as set out below.

Division 2 – System objectives

- S8 Social and economic inclusion – the project will improve the efficiency of the road network and thereby expand opportunities for access to social and economic opportunities, particularly in the south-eastern growth areas.
- S9 Economic prosperity – the project will facilitate the efficient and effective access to places of employment through an improved transport connection.
- S10 Environmental sustainability – the Incorporated Document includes a requirement to reduce impacts on remnant native vegetation, fauna habitats and adjacent areas of ecological, environmental or landscape significance designated as 'no-go' zones.
- S11 Integration of transport and land use – the additional land applies to the existing road corridor. The project maximises access to existing users and seeks to minimise access changes. The Amendment will ensure the project is delivered in a timely manner to support the current and future requirements of the transport system and the demands of those communities in the south-eastern growth areas.
- S12 Efficiency, coordination and reliability – the project will facilitate efficient, coordinated and reliable movements of persons and vehicles.
- S13 Safety and health and wellbeing – the project will reduce congestion and hence improve road user safety within the south-eastern road network.

Division 3 – Decision-making principles

- S15 Principle of integrated decision-making – the project continues to be subject of a coordinated process between MRPV, Greater Dandenong City Council and other relevant agencies.
- S16 Principle of triple bottom line assessment – the economic, environmental and social costs and benefits of the project satisfy the principles of triple bottom-line assessment.
- S17 Principle of equity – the project will improve the overall operation of the transport system in the south-eastern suburbs of Melbourne and will cater for the needs of existing and future communities.
- S18 Principle of the transport system user perspective – the project will facilitate improvements to the transport system which will improve the road network experience for users.
- S19 Precautionary principle – the precautionary principle was adopted during the development of the project through technical investigations and evaluations to avoid serious or irreversible damage to the environment.
- S20 Principle of stakeholder engagement and community participation – the project is supported by a communications strategy which includes consultation with local communities, transport system users, landowners and other key stakeholders.
- S21 Principle of transparency – the project is supported by a communications strategy which includes consultation with local communities, transport system users, landowners and relevant agencies.

Resource and administrative costs

The Amendment will not have a significant impact on the resources and administrative costs of the responsible authority. The Amendment will reduce the regulatory burden for City of Greater Dandenong Council by extending the planning permit exemptions within the Incorporated Document to the additional land.

Where you may inspect this amendment

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

Greater Dandenong City Council

Greater Dandenong Civic Centre

225 Lonsdale Street

DANDENONG VIC 3175

https://www.greaterdandenong.vic.gov.au

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

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Dandenong South	South Gippsland Highway between Carter Way and Pound Road	Greater Dandenong C227gdan 001scoMap09 Exhibition