Planning and Environment Act 1987

Panel Report

Wodonga Planning Scheme Amendment C121
Leneva and Baranduda Precinct Structure Plan

7 August 2018
Planning and Environment Act 1987
Panel Report pursuant to section 25 of the Act
Wodonga Planning Scheme Amendment C121
Leneva and Baranduda Precinct Structure Plan
7 August 2018

Con Tsoteros, Chair
Deanne Smith, Member
Contents

1 Introduction ................................................................................................................................. 1
  1.1 The Amendment ................................................................................................................... 1
  1.2 The subject land ..................................................................................................................... 2
  1.3 The Precinct Structure Plan ................................................................................................. 3
  1.4 The Development Contributions Plan .................................................................................. 6
  1.5 Background ........................................................................................................................... 6
  1.6 Procedural matters ............................................................................................................... 7
  1.7 Amendment VC148 ............................................................................................................... 10
  1.8 Issues dealt with in this Report ............................................................................................ 10
  1.9 Revisions to the Amendment ............................................................................................... 10
  1.10 Recommendation ............................................................................................................... 11

2 Planning context ......................................................................................................................... 12
  2.1 Policy framework .................................................................................................................. 12
  2.2 Relevant planning strategies, policies and plans ................................................................. 15
  2.3 Planning scheme provisions ................................................................................................. 16
  2.4 Ministerial Directions and Practice Notes .......................................................................... 16
  2.5 Submissions .......................................................................................................................... 17
  2.6 Discussion and conclusion .................................................................................................... 17

3 Future urban structure ............................................................................................................... 19
  3.1 Open space location .............................................................................................................. 19
  3.2 Leneva Local Centre location .............................................................................................. 20
  3.3 PSP Property 11 (proposed cemetery) ................................................................................. 21
  3.4 PSP Property 42 (Trinity Anglican College land) ................................................................. 22
  3.5 Other education facilities ...................................................................................................... 25

4 Industrial / residential interface ................................................................................................. 28
  4.1 The issue ............................................................................................................................... 28
  4.2 Evidence and submissions .................................................................................................... 28
  4.3 Discussion ............................................................................................................................. 31
  4.4 Conclusions .......................................................................................................................... 32
  4.5 Recommendations ............................................................................................................... 32

5 Bushfire management .................................................................................................................. 33
  5.1 Background ........................................................................................................................... 33
  5.2 The issues ............................................................................................................................. 33
  5.3 Evidence and submissions .................................................................................................... 33
  5.4 Discussion ............................................................................................................................. 34
  5.5 Conclusions .......................................................................................................................... 35
  5.6 Recommendations ............................................................................................................... 36
6 Landscape values ........................................................................................................ 38
   6.1 The issue ................................................................................................................. 38
   6.2 Evidence and submissions ...................................................................................... 38
   6.3 Discussion ................................................................................................................ 38
   6.4 Conclusions .............................................................................................................. 39
   6.5 Recommendations ................................................................................................... 39

7 Transport infrastructure ............................................................................................... 40
   7.1 North-south connector road alignment .................................................................... 40
   7.2 Boyes Road ............................................................................................................. 40
   7.3 PSP R35, R37 and R38 road requirements .............................................................. 42
   7.4 Access to Property 1 .............................................................................................. 45

8 Drainage infrastructure ................................................................................................. 48
   8.1 Background .............................................................................................................. 48
   8.2 The issue .................................................................................................................. 48
   8.3 Evidence and submissions ...................................................................................... 48
   8.4 Discussion ................................................................................................................ 50
   8.5 Conclusions .............................................................................................................. 51
   8.6 Recommendation .................................................................................................... 51

9 Development Contributions Plan .................................................................................. 52
   9.1 Contribution inclusion and exemption .................................................................... 52
   9.2 Public land equalisation method ............................................................................ 53
   9.3 Development infrastructure levy rate ..................................................................... 54

10 Other matters ............................................................................................................... 55
   10.1 Document 23 changes ......................................................................................... 55
   10.2 Drainage ................................................................................................................. 56
   10.3 Sunset clause ......................................................................................................... 57

Appendix A Document list
Appendix B Panel preferred version of UGZ1
Appendix C Panel preferred version of DCP

List of Tables

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 1</td>
<td>Council response to relevant Planning Policy Framework clauses</td>
<td>12</td>
</tr>
<tr>
<td>Table 2</td>
<td>Zone and overlay purposes</td>
<td>16</td>
</tr>
<tr>
<td>Table 3</td>
<td>Vitasoy issues and Council response</td>
<td>28</td>
</tr>
</tbody>
</table>
Table 4  Buffer distances as shown on Plan 2 of the exhibited Precinct Structure Plan ................................................................. 31

List of Figures

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 1</td>
<td>The subject land</td>
<td>2</td>
</tr>
<tr>
<td>Figure 2</td>
<td>Leneva-Baranduda regional context</td>
<td>3</td>
</tr>
<tr>
<td>Figure 3</td>
<td>PSP Future Urban Structure</td>
<td>5</td>
</tr>
<tr>
<td>Figure 4</td>
<td>PSP Landscape and Urban Character (Natural) showing the fire threat edge in red</td>
<td>33</td>
</tr>
<tr>
<td>Figure 5</td>
<td>Boyes Road 4 lane (Interim and Ultimate)</td>
<td>41</td>
</tr>
</tbody>
</table>

List of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AHD</td>
<td>Australian Height Datum</td>
</tr>
<tr>
<td>BMO</td>
<td>Bushfire Management Overlay</td>
</tr>
<tr>
<td>CFA</td>
<td>Country Fire Authority</td>
</tr>
<tr>
<td>DCP</td>
<td><em>PSP 1105 Leneva-Baranduda Development Contributions Plan, June 2017</em></td>
</tr>
<tr>
<td>DCPO</td>
<td>Development Contributions Plan Overlay</td>
</tr>
<tr>
<td>DET</td>
<td>Department of Education and Training</td>
</tr>
<tr>
<td>EPA</td>
<td>Environment Protection Authority</td>
</tr>
<tr>
<td>LPPF</td>
<td>Local Planning Policy Framework</td>
</tr>
<tr>
<td>MSS</td>
<td>Municipal Strategic Statement</td>
</tr>
<tr>
<td>NECMA</td>
<td>North East Catchment Management Authority</td>
</tr>
<tr>
<td>NRZ</td>
<td>Neighbourhood Residential Zone</td>
</tr>
<tr>
<td>PLEM</td>
<td>Public Land Equalisation Method</td>
</tr>
<tr>
<td>PSP</td>
<td><em>Leneva &amp; Baranduda Precinct Structure Plan, June 2017</em></td>
</tr>
<tr>
<td>WREN</td>
<td>Wodonga Retained Vegetation Network</td>
</tr>
</tbody>
</table>
Overview

<table>
<thead>
<tr>
<th>Amendment summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>The Amendment</strong></td>
</tr>
<tr>
<td><strong>Brief description</strong></td>
</tr>
<tr>
<td><strong>Subject land</strong></td>
</tr>
<tr>
<td><strong>The Proponent</strong></td>
</tr>
<tr>
<td><strong>Planning Authority</strong></td>
</tr>
<tr>
<td><strong>Authorisation</strong></td>
</tr>
<tr>
<td><strong>Exhibition</strong></td>
</tr>
<tr>
<td><strong>Submissions</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
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<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
## Panel process

<table>
<thead>
<tr>
<th>The Panel</th>
<th>Con Tsotsoros (Chair) and Deanne Smith</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directions Hearing</td>
<td>Wodonga, 16 April 2018</td>
</tr>
<tr>
<td>Panel Hearing</td>
<td>Wodonga, 18, 19, 20 and 21 June 2018</td>
</tr>
<tr>
<td>Site inspections</td>
<td>Unaccompanied, 16 April 2018</td>
</tr>
<tr>
<td><strong>Appearances</strong></td>
<td></td>
</tr>
<tr>
<td>Wodonga City Council</td>
<td>represented by Terry Montebello of</td>
</tr>
<tr>
<td></td>
<td>Maddocks, relying on heritage expert</td>
</tr>
<tr>
<td></td>
<td>evidence from Deb Kemp of Heritage</td>
</tr>
<tr>
<td></td>
<td>Concepts and calling the following</td>
</tr>
<tr>
<td></td>
<td>expert evidence:</td>
</tr>
<tr>
<td></td>
<td>- Precinct Structure Plan and</td>
</tr>
<tr>
<td></td>
<td>Development Contributions Plan review</td>
</tr>
<tr>
<td></td>
<td>from Chris De Silva of Mesh</td>
</tr>
<tr>
<td></td>
<td>- Traffic and transport from Chris</td>
</tr>
<tr>
<td></td>
<td>Butler of Cardno</td>
</tr>
<tr>
<td></td>
<td>- Drainage strategy and flooding</td>
</tr>
<tr>
<td></td>
<td>from Warwick Bishop of Water Tech</td>
</tr>
<tr>
<td></td>
<td>Andrew and Judy Williams represented</td>
</tr>
<tr>
<td></td>
<td>by Peter O’Farrell of Counsel</td>
</tr>
<tr>
<td></td>
<td>and relying on the following expert</td>
</tr>
<tr>
<td></td>
<td>evidence:</td>
</tr>
<tr>
<td></td>
<td>- Traffic and transport from Michael</td>
</tr>
<tr>
<td></td>
<td>Marsicovetere of Traffic and Transport</td>
</tr>
<tr>
<td></td>
<td>Solutions</td>
</tr>
<tr>
<td></td>
<td>- Vegetation assessment from Brett</td>
</tr>
<tr>
<td></td>
<td>Lane of Brett Lane &amp; Associates Pty</td>
</tr>
<tr>
<td></td>
<td>Ltd</td>
</tr>
<tr>
<td></td>
<td>Eric Pietila and Doug Vukasinovic</td>
</tr>
<tr>
<td></td>
<td>represented by Greg Tobin of</td>
</tr>
<tr>
<td></td>
<td>Harwood Andrews</td>
</tr>
<tr>
<td></td>
<td>Linda and John Nightingale</td>
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<td></td>
<td>Mark and Colleen Schlink</td>
</tr>
<tr>
<td></td>
<td>Pares Estate represented by</td>
</tr>
<tr>
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<td>Damian Loughnan of G2 Urban Planning</td>
</tr>
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<td>and Greg Aplin of Urban Solutions</td>
</tr>
<tr>
<td></td>
<td>Vitasoy Australia Pty Ltd represented</td>
</tr>
<tr>
<td></td>
<td>by Rachel Butler of Tract Consultants</td>
</tr>
<tr>
<td>Citation</td>
<td>Wodonga PSA C121 [2018] PPV</td>
</tr>
<tr>
<td>Date of this Report</td>
<td>7 August 2018</td>
</tr>
</tbody>
</table>
Executive summary

(i) Summary

The Amendment applies to 1,062.7 hectares of land in Leneva and Baranduda, approximately three kilometres southeast of the Wodonga centre. The land, otherwise known as the Precinct Structure Plan area, forms part of the broader Leneva-Baranduda Growth Area comprising 1,980 hectares which is anticipated to accommodate approximately 13,000 dwellings and about 34,000 people.

Wodonga Planning Scheme Amendment C121 (the Amendment) seeks to implement the Leneva Baranduda Precinct Structure Plan, June 2017 (PSP) and Leneva Baranduda Development Contributions Plan, June 2017 (DCP) and make associated changes. The PSP area is anticipated to accommodate approximately 6,153 dwellings for about 15,700 people.

The Amendment was exhibited from 19 October to 2 December 2017 and received 30 submissions, including one late submission.

Key issues raised in submissions related to open space location, the Leneva Local Centre location, the applied zone for a cemetery, the future of the Trinity College land, other education facilities, future residential interface with existing industry, bushfire management, landscape values, transport infrastructure, road access, drainage infrastructure, development contributions plan matters, drainage and a sunset clause to land acquisition.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing.

The Panel finds that the Amendment strikes the right balance between proposed low density urban development and biodiversity conservation values of landscapes. It is modelled on solid principles, State and local policy, and aligns with relevant guidelines, including the PSP guidelines. The Panel is confident that, if Leneva-Baranduda evolves over the next decades in line with the proposed planning framework, it will flourish into a vibrant community.

The Panel concludes that the Amendment is generally supported by, and implements, the relevant sections of the State and Local Planning Policy Framework and is consistent with the relevant Ministerial Directions and Practice Notes.

Council proposed considerable changes to the Amendment in response to submissions. The Panel has accepted these changes proposed for Urban Growth Zone Schedule 1, the PSP and DCP as a starting point and has addressed them in this report where specifically raised in submissions.

The Panel commends Council and parties who worked collaboratively to resolve so many issues before and during the Hearing.

Future urban structure

The PSP and DCP establish a well-articulated framework that will help shape the future urban structure. The DCP fairly equalises public open space across properties. The PSP appropriately locates Sports Reserve SR-01 adjacent to Baranduda Boulevard and in an area
that assists the development of a sports reserve. It has also appropriately located the proposed Leneva Local Centre and considered the educational needs of the future community.

The UGZ1 applied zone for Property 11 should be Public Use Zone 5 to reflect its proposed cemetery land use. Property 42 should be redesignated from ‘existing school’ to land to be used as future residential contributing to increase in the net developable area of the PSP. Lange Homestead (HO54) sufficiently meets the local significance threshold to justify the Heritage Overlay and therefore it should be applied.

**Industrial / residential interface**

The exhibited proposed residential interface with the existing Baranduda Industrial Estate on the Kiewa Valley Highway is consistent with Clause 21.13-7 and Clause 52.10. The Amendment sufficiently considers the future residential/industrial interface and enables an adequate buffer; however, Council’s post-exhibition changes will improve its operation. Requiring a planning permit for accommodation uses and requiring statutory notice to Environment Protection Authority will ensure that relevant permit proposals are appropriately assessed to better understand any potential impacts on existing industry.

**Bushfire management**

The Amendment is generally consistent with Clause 13.05 but would benefit from further clarity through UGZ1 and the PSP. Specifically, bushfire risk should be reassessed to consider the ultimate state of the Wodonga Retained Environment Network and whether the BMO should be realigned. The PSP should not specify a 19-metre road reserve to address bushfire risk because it is premature to determine whether this is an appropriate response at this early stage.

**Landscape values**

Subject to the further work being done regarding bushfire risk, the ‘landscape values’ designation should be removed from land Property 36 and an appropriate applied zone be determined that reflects the development potential of the land. The application and definition of the landscape values designation, including its objectives needs to be made more explicit in the PSP.

**Transport infrastructure**

The north-south connector road alignment proposed by the PSP provides the most efficient vehicular access and should not be realigned. The DCP has appropriately calculated the costs for Boyes Road, including land acquisition and construction. The DCP would benefit from clarifying the extent of land and road standard to be funded.

The PSP R35, R37 and R38 road requirements, depending on development sequence, may unintendedly result in a property without road access. Revising these three requirements in the form agreed to by Council can resolve this issue.

It would be appropriate for Property 1 to have direct road access to Baranduda Boulevard, if future surrounding land is developed out of sequence. Council’s proposed new PSP G24 guideline provides a practical response to guiding any future road access.
Drainage infrastructure

The PSP R52 requirement appropriately requires on-site stormwater treatment. The DCP appropriately apportions the precinct-wide drainage levy to all land in the Precinct. It does not need to create sub-precincts to exempt certain land from the drainage levy.

Development contributions plan

The proposed development levy rate specified in the DCP and DCPO1 is calculated through a robust and common methodology. The cemetery proposed on Property 11 should not be included as an infrastructure item in the DCP. There is insufficient justification to remove Property 14 from the DCP. Council’s proposed change to equalise contributions for Property 25 will appropriately acknowledge that drainage infrastructure is proposed for the entire site. This will result in a fairer outcome for the relevant property owner and would more accurately reflect actual circumstances.

Other matters

Other matters related to flooding and the timeframe for a public authority to acquire land. The PSP and DCP drainage strategy and proposed infrastructure will appropriately manage drainage and flooding in the Precinct. Applying a sunset clause is inappropriate and should not be applied for acquiring or purchasing land.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that Wodonga Planning Scheme Amendment C121 be adopted as exhibited subject to the following:

1. Amend Urban Growth Zone Schedule 1, as shown in Appendix B, to:
   a) include changes described in the Ordinance Change Matrix (1 June 2018) prepared by Council (Document 1A), unless otherwise recommended.
   b) apply Public Use Zone 5 as the applied zone to Property 11 in Table 1.
   c) include the following additional Requirement in Section 3.0 (Application requirements):
      For the purposes of Clause 13.05, a site analysis plan which demonstrates the subdivision is designed and oriented to ensure a BAL rating of no greater than BAL12.5 is achieved.
   d) revise the Site Management Plan dot point within Clause 4.0 (Conditions and requirements for permits) to include the additional words (as underlined):
      ...An area of land between the development edge and non-urban areas, such as the Wodonga Retained Environment Network, consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed to enable the development, on completion, to achieve a maximum BAL 12.5 rating under AS3959-2009.
   e) change the first part of Clause 3.0 dot point three to “Where land slopes 5 per cent or greater, subdivision and housing design guidelines must be prepared to the satisfaction of the responsible authority which demonstrate...”
f) change Clause 4.0 to “Prior to certification of a stage of any plan of subdivision for that stage (excluding superlots) must show the land within or abutting that stage affected by the widening of the road reserve for the ultimate design of any relevant intersection.”

2. Amend the Leneva-Baranduda Development Contributions Plan, as shown in Appendix C, to:
   a) include changes described in the Development Contributions Plan Change Matrix (1 June 2018) prepared by Council (Document 1A), unless otherwise recommended.
   b) exclude 20 hectares of land (Property 11) from the net developable area and from any contributions.
   c) revise the Public Land Equalisation Method for Property 25 to recognise that drainage infrastructure and a local network park will take up the entire site.
   d) recalculate the land use budget and other affected figures to factor Property 42 being redesignated to future residential use.
   e) revise relevant plans and tables to refer to ‘Proposed Government School’.

3. Amend the Leneva-Baranduda Precinct Structure Plan to:
   a) include changes described in the Precinct Structure Plan Change Matrix (1 June 2018) prepared by Council (Document 1A), unless otherwise recommended.
   b) recognise Property 11 as a cemetery instead of residential land.
   c) redesignate Property 42 from ‘existing non-government school’ to a future residential use.
   d) revise relevant plans and tables refer to ‘Proposed Government School’
   e) revise the concept plan Figure 6 and 7 to reflect a preferred layout with the relocation of a proposed internal road at the Leneva Neighbourhood Centre and amendment to the shape of the school site at Bears Hill Community Hub.
   f) insert a new guideline at Section 3.4.4: “Where schools and community facilities are co-located, the design and layout of those facilities should encourage the integration of schools, early childhood and other community facilities and services”
   g) remove the reference to the status of Department of Education and Training as the lead agency for a future Government P-12 school at Table 9 of the PSP be removed.
   h) add “or other sensitive land uses” to Objective 13
   i) add “subdivision and/or development” to Requirement 18.
   j) remove ‘19 metres’ from Requirement 3 to enable the road reserve width required to be variable dependent on the fire risk and the design response required to ensure bushfire defendable space and building setback distance standards are met.
   k) revise Plan 4 (Landscape and Urban Character (Natural)) to extend the fire threat edge to all interface of the Wodonga Retained Environment Network (WREN) based on the fire risk of the ultimate state of the WREN.
   l) amend Figure 1 (Potential Interfaces with the Wodonga Retained Environment Network) to include the fire threat edge in the design response.
m) add in the Glossary of Terms:
   • Fire Threat: The interface between urban development and an area which presents a permanent potential for fire to impact on a community
   • Landscape Values: Land at or above 240 contour or within the 1 in 100 year flood event

n) amend the road cross-section in Appendix C (Local Access Street Level 1 Conservation Interface) to indicate that the road reserve width required is variable dependent on the fire risk and the design response required to ensure bushfire defendable space and building setback distance standards are met

o) change the R1 requirement to:

   A frontage road must be provided interfacing any conservation reserve land (category 3 land in the LVBNVPP) and other open space. In exceptional circumstances where topography prevents practical delivery of a road reserve the responsible authority may permit lots directly adjoining a conservation reserve or open space, however the lots adjacent must front onto the reserve or open space with other appropriate interface treatment such as pedestrian and cycle ways and passive surveillance design elements. Figure 1 outlines further guidance in relation to the preferred interface with a conservation reserve. Where no road is provided between a lot able to contain a dwelling and a conservation reserve, a lot must also provide the defendable space required by the Planning Scheme.

p) change the R2 requirement to “Landscaping adjacent to retained native vegetation or habitat must be complementary to conservation and bushfire management objectives and use appropriate native species to the satisfaction of the responsible authority.”

q) change the R3 requirement to “Where a lot capable of accommodating a dwelling is adjacent to a Fire Threat Edge as identified in Plan 4 a road in accordance with the Fire Threat Edge cross section in Appendix C must be provided between the Fire Threat Edge and the lot which the dwelling may be developed.”

r) delete the R5 requirement

s) renumber the existing R4 requirement into a new R5

t) apply a new R4 requirement “Defendable space must be provided in accordance with the Planning Scheme”.

u) revise Plan 4 (Landscape and Urban Character (Natural)) to depict the 240 AHD contour

v) remove the ‘landscape values’ designation from Property 36, subject to it being demonstrated that any development, on completion, will achieve a maximum BAL 12.5 rating under AS3959-2009

w) replace the R35 requirement with:

   Streets must be constructed to property boundaries where a road is shown crossing parcel boundaries in the PSP by any date or stage approved by the responsible authority.
x) replace the R37 requirement with:

Having regard to the need to facilitate access to adjoining land as it is developed, where a connector street crosses a waterway as shown on Plan 8 the development proponent must construct a connector street bridge, before a statement of compliance is issued for the first stage of residential subdivision, or any other time approved by the responsible authority, to the other side of the waterway to be developed.

y) replace the R38 requirement with:

Having regard to the need to facilitate access to adjoining land as it is developed, where a “local connection required” is identified on Plan 8 the development proponent must construct a bridge or culvert, before a statement of compliance is issued for the first stage of residential subdivision, or any other time approved by the responsible authority on the second side of the waterway to be developed.

z) add the following guideline at 3.3.2:

G23a Access between development sites and an arterial road should, where practical, be through a connector street as shown on Plan 8. Where a connector street providing direct access to a development site from the arterial road network is not available, an access road to that development site can be provided, to the satisfaction of the road authority and Transport for Victoria. The access road may be required to be closed once direct access becomes available through a connector road.

aa) identify in Plan 8 a potential local connection to Property 1 associated with the G23a guideline.

bb) delete “or exceed” from the R52 requirement.

c) delete unnecessary references to estate names throughout plans

d) delete the designation of the future potential school in Plan 2, which is outside the PSP area

e) replace in the R16 requirement “unless otherwise agreed by” to “to the satisfaction of the”

ff) insert a new performance criteria under Principle 1 to Appendix B: “Develop the Town Centre around a centrally located connector road to create a main street environment”.

 gg) replace the R41 requirement with:

An urban design framework of the Baranduda Town Centre must be prepared to the satisfaction of the responsible authority, prior to the issue of a permit for any part of the Baranduda Town Centre. The Urban Design Framework must:

- Address the principles on Appendix B
- Provide for the mix of uses and civic facilities shown in figure 5 and table 4

A permit granted must be generally in accordance with the approved Urban Design Framework.
hh) change the R49 requirement to “Residential subdivisions must deliver a broad range of lot sizes in appropriate locations capable of accommodating a variety of housing types and facilitate affordable housing.”

ii) change the G35 guideline to change “residential subdivision” to “development”

kk) change the R68 requirement to “Development sequencing will be determined by the ability to appropriately access and service land. Within this context, the following must be achieved unless otherwise approved by the responsible authority:…”

ll) change the G53 guideline to amend “Development” to “Buildings and works”.

mm) change the R10 requirement to “Buildings and works other than drainage works must not occur within land identified as Landscape Values in Plans 4 and 5 except for properties 37 and 38 which may each accommodate one additional lot within the Rural Living Applied Zone.”

nn) change the R11, R12 and R13 requirements from 10 per cent to 5 per cent.
Introduction

1.1 The Amendment

The Amendment proposes to implement the Leneva Baranduda Precinct Structure Plan (June 2017) and Leneva Baranduda Development Contributions Plan (June 2017) by changing the Wodonga Planning Scheme (Planning Scheme) to:

- amend in Municipal Strategic Statement:
  - Clause 21.03 (Settlement) to identify buffers around the former Wodonga landfill
  - Clause 21.11 (Infrastructure)" and Clause 21.13 (Local Areas) to correct grammatical wording and to update content relating to the Leneva Baranduda Growth Area Corridor and the associated Development Contributions Plan
  - Clause 21.12 (Reference Documents) to reference the Leneva Baranduda Whole of Water Cycle Management Plan
- amend Urban Growth Zone Schedule 1 (UGZ1) to relate to the Leneva Baranduda Precinct Structure Plan
- apply UGZ to Lot 1 PS 638232, Lot 31 PS 627692, Lot 43 PS 636959 (two parts) previously rezoned to UGZ as part of Wodonga Planning Scheme Amendment C49
- rezone the following land to UGZ1:
  - Lot 23 PS 511568 (part) from Rural Living Zone (RLZ)
  - Lot 32 PS 627692 from Farming Zone (FZ)
  - Lot 1 PS 407656 from Public Use Zone 5 (PUZ5)
  - Lot 1 PS 616987 (two parts) from Public Park and Recreation Zone (PPRZ)
- rezone part of Crown Allotment CA 1B SEC 5-2068, CA 3B SEC 1-3854, CA 2001 NO SEC -2068, from Urban Growth Zone (UGZ) to Public Park and Recreation Zone
- delete Development Plan Overlay Schedule 6 (DPO6) from that part of lot 23 PS 644963 being rezoned to UGZ1
- amend the Heritage Overlay Schedule to include the Leneva Baranduda Precinct Structure Plan Post Heritage Assessment recommendations
- delete the existing Floodway Overlay from Middle Creek
- delete the Land Subject to Inundation Overlay (LSIO) from Middle Creek
- apply a new Floodway Overlay to Middle Creek and its tributary (currently known as N1) as shown in maps 13 LSIO-FO, 14 LSIO-FO and 16LSIO-FO
- delete the Vegetation Protection Overlay Schedule 4 (VPO4) from a portion of Middle Creek, also along sections of the Kiewa Valley Highway and Boyes Rd, John Schubert Drive and parts of Drapers Road
- introduce the Development Contributions Plan Overlay (DCPO)
- introduce Development Contributions Plan Overlay Schedule 1 (DCPO1) – Leneva Baranduda Development Contributions Plan (June 2017)
- amend the Clause 52.01 Schedule to provide for open space contributions in the Leneva Baranduda Precinct Structure Plan area
- amend the Clause 61.03 Schedule to update planning scheme maps and include DCPO in the list of planning scheme maps
- amend the Clause 81.01 Schedule to:
  - incorporate Leneva Baranduda Precinct Structure Plan (June 2017)
- incorporate Leneva Baranduda Development Contributions Plan (June 2017)
- update the Leneva Valley and Baranduda Native Vegetation Precinct Plan date to November 2014 to align with the reference in Clause 52.16.

1.2 The subject land

The Amendment applies to 1,062.7 hectares of land in Leneva and Baranduda, approximately three kilometres southeast of the Wodonga centre, as shown in Figure 1. The land, otherwise known as the Precinct Structure Plan area, forms part of the broader Leneva-Baranduda Growth Area comprising 1,980 hectares which is anticipated to accommodate approximately 13,000 dwellings and about 34,000 people. The Precinct Structure Plan area would accommodate approximately 6,153 of those dwellings for about 15,700 people.

Figure 1  The subject land

![Figure 1](image-url)

Source: Leneva-Baranduda PSP, Plan 3

The Leneva-Baranduda Precinct forms part of a broader growth area shown in Figure 2.
1.3 **The Precinct Structure Plan**

The Leneva-Baranduda Precinct Structure Plan (PSP) states that it “is a long-term plan for urban development. It describes how the land is to be developed as well as how and where services are planned to support development.” It was prepared by Council and the Victorian Planning Authority with Government agencies, service authorities and major stakeholders.

The PSP applies to 1,062.7 hectares of land shown in Figure 1.

(i) **Role and function**

Generally, the PSP:

- sets out plans to guide the delivery of quality urban environments in accordance with relevant Victorian Government guidelines
- enables the transition of non-urban land to urban land
- sets the vision for how the land should be developed and the outcomes to be achieved
- outlines the projects required to ensure that future residents, visitors and workers within the area can be provided with timely access to services and transport necessary to support a quality lifestyle
- sets out objectives, requirements and guidelines for land use, development and subdivision
- provides Government agencies, Council, developers, investors and local communities with certainty about future development.

(ii) **Background information**

The PSP is informed by:

- The State and Local Planning Frameworks as in the Planning Scheme
- The draft Leneva-Baranduda Growth Area Framework Plan (City of Wodonga, 2012)
- Wodonga Growth Strategy (WGS) (City of Wodonga, 2016)
• Wodonga Integrated Transport Strategy (City of Wodonga 2014)
• Wodonga Retained Environmental Network Strategy (Albury-Wodonga Corporation 2006) and the Leneva Valley and Baranduda Native Vegetation Precinct Plan (City of Wodonga, 2014)
• Leneva-Baranduda Whole of Water Cycle Management Plan (North East Water, 2016)
• Precinct Structure Planning Guidelines (Victorian Planning Authority).

The Leneva-Baranduda Background Report provides detailed background information about the Precinct.

(iii) Vision

The PSP seeks to achieve the following vision:

*With the Baranduda Range, Flagstaff Hill and Bears Hill as the backdrop to the future urban area, the Leneva-Baranduda Precinct Structure Plan will have a well-defined urban character that has a strong relationship to the surrounding rural landscape.*

*Development within the precinct will be strategically directed away from the Wodonga Retained Environmental Network (WREN), encouraging whole of water cycle management principles and seeking to retain the scattered tree population within the future street network.*

*The future precinct will deliver affordable and sustainable housing and will be a place where all people can enjoy a healthy lifestyle and strong community. The foundations for this vision are based on an urban structure comprising a walkable and cyclable street and trail network, housing and lifestyle choices, local jobs, local schools, and safe, attractive and functional open spaces offer a broad range of recreational pursuits. A traditional street network that ensure local traffic movement is safe and provides the capacity for future expansion of the public transport network.*

*The urban structure concept supports an engaged community with development opportunities that encourage access to local employment, participation in community and recreation activities, and contributes positively to the physical and social health and well-being of all members of the community.*

(iv) Objectives

There are 22 objectives which support the vision, grouped by:

• Landscape and urban character
• Healthy living
• Connectivity
• Employment, retail and community infrastructure
• Housing diversity and affordability
• Integrated water management, natural systems and open space
• Natural hazard management
• Precinct infrastructure plan and staging.

(v) Future urban structure

Plan 2 of PSP (Future urban structure) spatially expresses the PSP vision, as shown in Figure 3.

Figure 3 PSP Future Urban Structure

Source: Leneva-Baranduda PSP and DCP
1.4 The Development Contributions Plan

The Leneva-Baranduda Development Contributions Plan (DCP) was developed in parallel with the PSP to inform and direct the future planning and development of the Precinct. It requires development proponents to contribute toward infrastructure required to support the future community.

The Amendment proposes to:
- incorporate the DCP into the Planning Scheme
- implement the contributions by applying DCPO1 to the subject land.

1.5 Background

Council’s Part A submission provided a chronology of events and most of these are replicated below.

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998</td>
<td>Leneva Structure Plan 1998 was introduced into the Wodonga Planning Scheme</td>
</tr>
<tr>
<td>2006</td>
<td>Wodonga Retained Environment Network Strategy (WRENS) was prepared</td>
</tr>
<tr>
<td>2006</td>
<td>North Leneva Structure Plan 2006 was prepared</td>
</tr>
<tr>
<td>5 April 2007</td>
<td>Wodonga Planning Scheme was amended to implement directions from WREN and North Leneva Structure Plan 2006 [Amendment C37 (Part 1)]</td>
</tr>
<tr>
<td>2012</td>
<td>Council resolved to release a draft of the Leneva Baranduda Growth Area Framework Plan (2012)</td>
</tr>
<tr>
<td>July 2013</td>
<td>Regional Development Victoria announced:</td>
</tr>
<tr>
<td></td>
<td>- funding towards structure planning for the Leneva growth area</td>
</tr>
<tr>
<td></td>
<td>- further work would be undertaken by the then Metropolitan Planning Authority.</td>
</tr>
<tr>
<td>August 2013</td>
<td>Council resolved to adopt key directions from the community engagement process on the draft 2012 Framework Plan consultation outcomes</td>
</tr>
<tr>
<td>3 October 2013</td>
<td>Leneva Valley and Baranduda Native Vegetation Precinct Plan (January 2012) was introduced into the Wodonga Planning Scheme [Amendment C94]</td>
</tr>
<tr>
<td>February 2014</td>
<td>The Wodonga Integrated Transport Strategy was finalised</td>
</tr>
<tr>
<td>May 2014</td>
<td>Hume Regional Growth Plan was finalised</td>
</tr>
<tr>
<td>23 October 2014</td>
<td>Leneva Baranduda Growth Area Framework Plan (2012) was introduced into the Wodonga Planning Scheme [Amendment C117]</td>
</tr>
<tr>
<td>February 2015</td>
<td>Precinct structure planning commenced for the Leneva-Baranduda growth area</td>
</tr>
<tr>
<td>May 2016</td>
<td>Wodonga Growth Strategy was adopted by Council</td>
</tr>
<tr>
<td>September 2016</td>
<td>Whole of Water Cycle Management Plan (March 2016) was endorsed by Council</td>
</tr>
</tbody>
</table>
20 March 2017  Council resolved to seek authorisation from the Minister for Planning to prepare Amendment C121

27 and 28 July 2017  Amendment C121 information sessions conducted at the Baranduda Community Centre

13 August 2017  Amendment C121 was authorised subject to conditions

19 October to 1 December 2017  Amendment C121 was formally exhibited

December 2017 to March 2018  Meetings held with submitters to Amendment C121

1.6  Procedural matters

(i)  Hearing submissions and expert witnesses

Before or during the Hearing, parties advised the following:

- Council relied on Ms Kemp’s expert witness statement but did not call her to be cross-examined
- Mr Pietila and Ms Vukasinovic no longer called Mr Turnbull as an expert witness on traffic
- Vitasoy no longer called Mr Hall as an expert witness
- On 18 June 2018, Mr O’Farrell for Mr and Mrs Williams relied on expert witness statements from Marsicovetere and Mr Lane, but did not call them to be cross-examined and submitted:

  On the basis of what has been agreed with the Council, Mr and Mrs Williams are content with the modifications to the PSP as agreed.

  On the assumption that these modifications/the agreement are acceptable to the Panel, Mr and Mrs Williams seek a recommendation from the Panel to give effect to what has been agreed.

  …Mr and Mrs Williams will no longer require the allocated timeslot...

(ii)  Additional information

Submissions

The submission of Mr Pietila and Mr Vukasinovic prepared by Habitat Planning (Habitat submission) expressed the following concern:

The requirement seems to imply that additional detention and treatment measures will be required for individual developments in addition to the precinct scale locations identified. Again, if stormwater treatment is being provided at a precinct level, the need for individual treatment locations would seem to be redundant. If so, this requirement should be removed. It is unfair for developers to be required to pay developer contributions for drainage projects and also to be required to construct their own water treatment and storage basins.
To address the issue or contributing to, and providing, two drainage systems, Habitat sought to delete PSP R52 which required on-site treatment in addition to a DCP contribution towards precinct-wide drainage infrastructure. At the Hearing, and based on additional information since preparing its submission, Mr Tobin of Harwood Andrews, on behalf of Mr Pietila and Mr Vukasinovic, sought to exclude certain properties from contributing to drainage infrastructure through the DCP as an alternative solution to its issue.

Council objected to Mr Tobin’s submission on the basis that he was introducing a new issue. The Panel provided Mr Tobin with an opportunity to explain how its request related to an issue raised in the Habitat submission. He referred to the following in the submission:

*It is noted that from a review of the background documents that there appear to be conflicts between the earlier background drainage strategy and the documentation associated with the PSP. We are concerned about the duplication of drainage requirements and contributions.*

Mr Tobin submitted that, while it was unfortunate that the original submission did not articulate the concerns “as expressly as Council would no doubt have preferred” the cross examination and submissions are found on this submission. Council disagreed. It said that the original submission referred to the PSP R52 requirement and legitimately raised concern about NECMA’s approach. Council added that the original submission included a heading ‘Development Contributions’ without any reference within that section about a request to exempt some land from contributing towards the drainage infrastructure.

Ms Anderson of Rigby Cooke Lawyers on behalf of Andrew and Judy Williams wrote a letter dated 20 June 2018 raising the possibility of a new issue being brought before the Panel through submissions made by Mr Tobin. Ms Anderson requested that the Panel reserve its position as to the issue, which was not identified with any precision, and to potentially allow further submissions to be made in relation to the matter by other parties.

The contents of the correspondence and Mr Tobin’s submission were discussed throughout the Hearing. Council responded to both in its closing submission, including the following:

*We submit that neither the Panel, Council’s experts, or Council or any other submitter was aware of the submission now being put. In particular, neither of Council’s experts addressed any aspect of the matter raised by Mr Tobin’s client and one would have expected that if the issue was known or even suspected, it would have been addressed given its gravity.*

*Accordingly, we submit that the issue raised by Mr Tobin’s client was not part of the submission his client made to the Amendment and is not properly before the Panel. We submit that the Panel would be acting outside its legislative powers and functions if it considered a submission that was not made nor referred to it. Late submissions can only come via one or two avenues. Either Council refers it to the Panel or the Minister directs the panel to consider the submission. Neither of these has occurred.*

Council continued to respond to the inappropriateness of removing PSP land from contributing to DCP drainage infrastructure. Drainage infrastructure is discussed in Chapter 9 of this report.
Council requested the Panel to make a ruling in relation to whether it would consider the allegedly new issue raised in the Harwood Andrews submissions. At the Hearing on 21 June 2018, the Panel advised parties that it would provide a written ruling on this issue in the week commencing 25 June 2018.

The Panel responded:

_The Panel considers that the matters raised in submission by Mr Tobin of Harwood Andrews relate to, and are a logical extension of, the issues relating to drainage infrastructure and integrated water management that are raised in the original submission dated 1 December 2017 prepared by Habitat Planning. The Panel will consider the appropriateness of the submission through the preparation of its report to the Planning Authority._

...In line with its response, the Panel discusses the appropriateness of the submission in the section below.

**Discussion**

The Habitat submission sought to delete the PSP R52 requirement on the basis that the subject land would be serviced by the precinct-wide drainage infrastructure. The Panel is not convinced that Habitat Planning was aware, at the time of its submission, that:

- a proportion of PSP land drains away from the proposed precinct-wide infrastructure
- NECMA would require individual onsite stormwater treatment.

If it did, the Panel considers that Habitat Planning would have requested a different solution to its issue. The Panel therefore agrees, to a large degree, with Council that the Habitat submission did not request to change the DCP to remove some land from contributing towards the proposed precinct-wide drainage.

However, the Habitat submission raised the issue of duplication resulting from having to contribute to, or provide, two different drainage systems. Based on new information about drainage lines and NECMA’s position regarding water discharge, Mr Tobin submitted at the Hearing that his client sought to revise the DCP as an alternative solution to its original issue of duplication.

**Conclusion**

The Panel considers this matter to be within its legislative powers and function. Like Ms Anderson’s correspondence, Council’s submission was premised on a new issue being raised at the Hearing.

The Panel affirms its view that Mr Tobin’s submission at the Hearing is a logical extension of the issue raised in the Habitat submission.

It is noted that Council took the opportunity to respond to this new information during the Hearing and through its closing submission.
1.7 Amendment VC148

Amendment VC148 was introduced into the Victoria Planning Provisions and all planning schemes on 31 July 2018. It replaces the State Planning Policy Framework with an integrated Planning Policy Framework, changes clause numbers throughout the Planning Scheme and makes other changes from the Smart Planning program. The assessment for this report was completed before Amendment VC148 was introduced. Any Planning Scheme clause numbers referred to in this report reflect clauses which existed before Amendment VC148 was introduced.

Council should review the Amendment against the new planning provisions before progressing it further.

1.8 Issues dealt with in this Report

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing.

The Panel has reviewed a large volume of material. The Panel has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:
- Planning context
- Future urban structure
- Industrial / residential interface
- Bushfire management
- Landscape values
- Transport infrastructure
- Drainage infrastructure
- Development contributions plan
- Other matters.

1.9 Revisions to the Amendment

Council proposed considerable changes to the Amendment in response to submissions. Changes proposed to the UGZ1, the PSP and DCP were documented in Document 1A. Many of these changes are reflected in Appendices B, C and D of this report.

The Panel has accepted these changes as a starting point and has addressed them where specifically raised in submissions throughout the report. From that perspective, there may be recommendations in this report which also appear as proposed changes in the Document 1A.

The Panel has adopted the changes tabled in Document 1A as a starting point and has made several recommendations for further changes in response to matters raised in submissions.
The Panel commends Council and parties who worked collaboratively to resolve so many issues before and during the Hearing. While the Panel has had regard to all issues raised in submissions to the exhibited Amendment, it has focussed on issues which remained unresolved.

1.10 Recommendation

The Panel recommends:

Amend Urban Growth Zone Schedule 1, as shown in Appendix B, to:

a) include changes described in the Ordinance Change Matrix (1 June 2018) prepared by Council (Document 1A), unless otherwise recommended.

Amend the Leneva-Baranduda Development Contributions Plan, as shown in Appendix C, to:

a) include changes described in the Development Contributions Plan Change Matrix (1 June 2018) prepared by Council (Document 1A), unless otherwise recommended.

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) include changes described in the Precinct Structure Plan Change Matrix (1 June 2018) prepared by Council (Document 1A), unless otherwise recommended.
2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council’s response and the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Policy framework

The Explanatory Report provided the following overview of the key relevant elements of the Planning Policy Framework. Council submitted that the Amendment is consistent with the Planning Policy Framework clauses identified in Table 1.

<table>
<thead>
<tr>
<th>Table 1</th>
<th>Council response to relevant Planning Policy Framework clauses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State Clauses</strong></td>
<td><strong>Settlement</strong></td>
</tr>
<tr>
<td>11 Settlement</td>
<td>- Develop a network of activity centres in accordance with Council’s Activity Centre Hierarchy policy and the Wodonga Growth Strategy 2016.</td>
</tr>
<tr>
<td></td>
<td>- Ensure that activity centres within the PSP contain a mix of land uses for commercial, recreation and community services, as well as open space and public art.</td>
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<tr>
<td></td>
<td>- Facilitate the urban development of land within the PSP that is readily able to develop transport routes and will be in proximity to current transport routes.</td>
</tr>
<tr>
<td></td>
<td>- Provide for a mix of residential densities and household types to achieve an average of 10 dwellings per hectare.</td>
</tr>
<tr>
<td></td>
<td>- Facilitate the orderly and sequential release of land for development and infrastructure provision.</td>
</tr>
<tr>
<td></td>
<td>- Provide a well-integrated open space network, linked by cycling and walking trails that connect with surrounding neighbourhoods through a system of linear open space and conservation reserves.</td>
</tr>
<tr>
<td></td>
<td>- Promote the sustainable growth and development of Wodonga, adding to its economic base and utilising its strategic advantages including significant landscapes and its geographic location on the main north south transport/freight corridor for eastern Australia.</td>
</tr>
<tr>
<td></td>
<td>- Protect environmental values (biodiversity and conservation) by the integration of the NVPP into urban development, achieving the objectives and goals of the WRENS into the PSP.</td>
</tr>
<tr>
<td></td>
<td>- Focus Wodonga’s future growth into a long recognised growth area.</td>
</tr>
<tr>
<td>12 Environment and landscape values</td>
<td>The Amendment:</td>
</tr>
<tr>
<td></td>
<td>- ensures that urban form is secondary to the conservation and biodiversity values of the precinct and provides clear direction to the urban interface with the WREN</td>
</tr>
<tr>
<td></td>
<td>- is in accordance with the Leneva Valley and Baranduda Native Vegetation Precinct Plan, which has been implemented into the Scheme.</td>
</tr>
<tr>
<td>13 Environmental risk</td>
<td>The Amendment:</td>
</tr>
<tr>
<td></td>
<td>- amends the Scheme to update flood levels in the Middle Creek waterway and its tributary within the PSP</td>
</tr>
<tr>
<td></td>
<td>- requires a Site Management Plan be prepared and submitted prior to works that addresses bushfire/grassfire risk at the interface of urban and non-urban land</td>
</tr>
</tbody>
</table>
- requires the identification of potentially contaminated land to ensure that it is deemed suitable for its intended use and development.
- Ensures that suitable and appropriate separation distances are provided between land uses that may reduce amenity and impact upon health issues.

### 14 Natural resources management

The Amendment ensures that a whole of water catchment management approach is taken to the provision of reticulated water. It also ensures that there is less future dependence on the supply of potable water and that waterways are appropriately incorporated into the urban landscape.

### 15 Built environment and heritage

The Amendment:
- identifies sites of potential Aboriginal and European (post contact) significance and seeks to protect them while building on the existing sense of place (including as determined by the hills and vistas to the surrounding alps and waterways)
- establishes an integrated neighbourhood that responds to cultural elements, landscapes (including biodiversity values), topography, views to the surrounding hills
- will preserve the existing waterways and conservation reserve system throughout the PSP – Pedestrian networks will be within an extensive reserve system while providing shade and safety.
- will provide a walkable and attractive network of neighbourhoods
- develops a whole of water catchment management strategy to ensure consideration is given to the sustainable and efficient use of potable water and integration of waterways into the urban form.

### 16 Housing

The Amendment:
- encourages a range of densities together with achieving a greater diversity of housing through a range of lot sizes and densities which encourage a variety of tenure and household type
- promotes housing affordability through the release of additional opportunities for residential development
- encourages the integration of aged care development into the community.

### 17 Economic development

The Amendment:
- will deliver a range of residential developments near planned activity centres thus supporting commercial uses and community services and enhancing employment opportunities within the community hubs/activity centres
- encourages a mix of employment opportunities through the ongoing development of a regionally significant sports precinct that also offers opportunities for tourism (sports tourism and parallel health and education) and allied health opportunities.

### 18 Transport

The Amendment will offer opportunities for alternative forms of transport through an integrated and unique network of off and on road pedestrian and cycle routes between activity centres/community hubs, regional sports and activity precincts, and within a wide and extensive open space and conservation reserve system.

### 19 Infrastructure

The Amendment will:
- provide for the efficient delivery of water, sewerage, and drainage infrastructure commensurate with the needs of the future community
- facilitate the location and delivery of “community hubs” containing health facilities with local and regional significance.
- facilitate delivery of high capacity broadband and telecommunications infrastructure.
Local Clauses

21 Municipal Strategic Statement

21.01 Municipal profile
The Amendment plans for and enables urban growth to occur in accordance with the Wodonga Growth Strategy.

21.03 Settlement
The Amendment:
- considers and reinforces the primacy of the Central Business Area by clearly identifying future development of activity centres in line with the Wodonga Retail Hierarchy (Wodonga Growth Strategy 2016)
- introduces a Development Contributions Plan to ensure sustainable growth and equitable access to infrastructure
- in conjunction with these measures, reinforces the importance of Wodonga’s natural environment by seeking to protect its hillsides and waterways by maintaining views and vistas of the hills and maintaining waterways and drainage lines though urban design and inclusion into connecting open space corridors.

21.04 Environmental and landscape values
The Amendment ensures that landscape values are highly valued and recognises and incorporates landscape features into urban design principals such as the hillsides and WRENs reserve system, which protects significant indigenous flora, fauna and habitat.

21.05 Environmental risk
In accordance with Clause 21.05, the Amendment:
- updates mapping in respect of land subject to flood and inundation by virtue of the Middle Creek and Tributary N1 waterway
- discourages development at higher levels of the valley and on land which slopes greater than 20% or areas subject to high levels of erosion
- ensures that bushfire protection measures are considered in the layout, staging and design of development and local street network, thus minimising the risk of bushfire to life and property.

21.06 Natural resources management
The Amendment:
- progresses and reinforces Wodonga as central to the development of North East Victoria and as the major urban centre in the regional catchment
- applies the native vegetation principles and objectives of the WREN through the NVPP
- ensures and reinforces protection of the hillsides from unwarranted urban development
- applies an integrated whole of water catchment management plan in achieving better water quality, security and importantly, resilience.

21.07 Built environment and heritage
The Amendment ensures that new residential development is sustainable through the integration of the economy, the community and the environment through a robust and tested design approach as set out in the PSP. Specifically, the Amendment:
- facilitates a clear settlement hierarchy
- facilitates development within a greenfield site and encourages delivery of a range of lot sizes and diverse housing outcomes
- directs growth into a recognised growth area with the formation of new neighbourhoods which are responsive to site constraints
- ensures a clear urban structure
- facilitates the design of a healthy, safe and inclusive community
- encourages new development to be energy, water and waste efficient through the incorporation of the principles of the Whole of Water Cycle Management Plan prepared by North East Water and
Council.

**21.08 Housing**
Leneva is to provide the long term residential land requirements of Wodonga and will eventually link Wodonga and the village of Baranduda. The PSP builds on the natural setting in its planning layout with the provision of parklands, walkable neighbourhoods, provision of infrastructure and protection of natural elements such as vegetation and waterways. The Amendment:
- facilitates housing diversity
- encourages higher density in areas with access to public transport, recreation facilities and commercial facilities.

**21.09 Economic development**
The Amendment implements and maintains the long-term retail activity centre strategy for Wodonga. Particularly, it:
- identifies the layout and location of activity centres within the precinct
- ensures that retail allowances do not threaten the hierarchy model for Wodonga.

**21.09-3 Tourism**
The Amendment recognises the importance of tourism to the regional economy and so lends weight to the expansion of the tourism base in the area. More particularly, the Amendment facilitates the use of allied health services for the precinct and long term educational uses at the significant regional facility at the Baranduda Sports Field Facility.

**21.10 Transport**
The Amendment establishes an integrated and permeable transport network to encourage walking and cycling, reducing car dependency and maximise safety and connectivity. Particularly, the Amendment:
- ensures a permeable and low speed street network that will encourage walking and cycling
- provides convenient and easy access to the connector street network where public transport will be provided.

**21.11 Infrastructure**
The Amendment:
- ensures that the city is taking a leading role in planning and facilitating the provision of infrastructure which will satisfy the needs of a growing city through the DCP and DCPO1
- ensures that water and waste water services are sustainable and fit for purpose, through developing the Whole of Water Cycle Management Plan.

**21.13 Local areas**

**21.13-5 Leneva and Baranduda Growth Area**
The Amendment is in accordance with Clause 21.13-5, the existing statement of policy in respect of the growth area. Particularly, the Amendment:
- facilitates the provision of more affordable and innovative housing
- implements structure planning and urban design frameworks for proposed town centres
- ensures the provision of and maintenance of recreation, sport and other forms of physical activity infrastructure within the precinct
- supports the planning and provision of educational facilities and recognises the importance of community through the co-location of educational facilities with other community services
- facilitates more walkable neighbourhoods and permeable urban design with healthier and transport options.

### 2.2 Relevant planning strategies, policies and plans

**(i) Hume Regional Growth Plan**
The Hume Regional Growth Plan is one of eight regional growth plans that provide broad direction for land use and development across regional Victoria.
(ii) Wodonga Growth Strategy

The Wodonga Growth Strategy was prepared during 2014-2016 and was adopted by the City of Wodonga in April 2016. The strategy directions were implemented through Amendment C125 to the Wodonga Planning Scheme and informs the PSP.

2.3 Planning scheme provisions

The Amendment proposes to apply the Urban Growth Zone, Heritage Overlay and Development Contribution Plan Overlay. Table 2 shows the purposes of the zone and overlays.

<table>
<thead>
<tr>
<th>Zones</th>
<th>Overlays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Growth</td>
<td>Heritage</td>
</tr>
<tr>
<td></td>
<td>Development Contributions Plan</td>
</tr>
</tbody>
</table>

**Common purpose**

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

**Other purposes**

- To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
- To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.
- To contain urban use and development to areas identified for urban development in a precinct structure plan.
- To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.
- To ensure that, before a precinct structure plan is applied, the use and development.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

2.4 Ministerial Directions and Practice Notes

**Ministerial Directions**

The Panel has reviewed the Amendment against the following Ministerial Directions and is satisfied that it is consistent with them, subject to its finding and recommendations about detailed issues later in this report:
• Ministerial Direction 11 (Strategic Assessment of Amendments)
• Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.
• Ministerial Direction on the Preparation and Content of Development Contributions Plans.

Planning Practice Notes
The Panel has reviewed the Amendment against the following Planning Practice Notes and is satisfied that it is consistent with them, subject to its findings and recommendations about detailed issues later in this report:
• Planning Practice Note 1 (PPN1) Applying the Heritage Overlay, January 2018
• Planning Practice Note 46 (PPN46) Strategic Assessment Guidelines, June 2015
• Planning Practice Note 47 (PPN47) Urban Growth Zone, June 2015.
• Planning Practice Note 64 (PPN64) Local Planning for Bushfire Protection, September 2015.

2.5 Submissions
In its Part A Submission, Council submitted that the PSP appropriately balances urban development with the subject land’s environmental conditions and context. It submitted that the Amendment is strategically justified.

Two submitters opposed the Amendment. One submitter stated that it is “a horrifying prospect to envisage this beautiful rural valley totally urbanised with tens of thousands of humans.” Another submitter stated that his family has owned land in Leneva since the 1850s. He considered the subject land to be of agricultural and environmental significance and added:

We should embrace the natural beauty of the Baranduda Ranges and the Leneva area with a development that will enhance and highlight this not carve it up for high density housing.

Council responded that the Albury Wodonga Development Corporation has identified the subject land in structure planning since the 1990s. It added that a large proportion of the growth area is in the Rural Living Zone or smaller holdings in the Farming Zone, which greatly reduces agricultural production. Council noted that the native vegetation precinct plan, through the Wodonga Retained Environment Network (WREN), has identified biodiversity conservation values of the landscapes.

Council did not support either submission.

2.6 Discussion and conclusion
There is considerable general and specific planning policy support for the Amendment. This is reflected in Council’s strategic assessment. The Amendment strikes the right balance between proposed low density urban development and biodiversity conservation values of landscapes. Specifically, it seeks to preserve environmentally significant elements by, among other response, reserving identified land or restricting development on land above a visible contour.
The Amendment is modelled on solid principles, State and local policy, and aligns with relevant guidelines, including the Precinct Structure Plan guidelines. The Panel is confident that, if Leneva-Baranduda evolves over the next decades in line with the proposed planning framework, it will flourish into a vibrant community.

The Panel concludes that the Amendment is generally supported by, and implements, the relevant sections of the State and Local Planning Policy Framework and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.
### 3 Future urban structure

#### 3.1 Open space location

**(i) The issue**

The issue is whether the PSP has located open space equitably in the future urban structure.

**(ii) Evidence and submissions**

Pares Estate submitted that the PSP future urban structure, and particularly the identification of open space on some land is inequitable. The Leneva local sports reserve provides 8 hectares of DCP funded active open space, located on Property 8. Pares Estate submits that it would be more equitable if the active open space was shifted to the west.

Council submitted that the opposite side of Frederick Street Road has a slope which makes the land less suitable for the Active Open Space and more expensive to develop, adding to the DCP. It submitted that the current proposed location is appropriate given the location within the broader PSP and the proximity to access roads.

**(iii) Discussion**

The PSP identifies Property 8 as comprising 56.71 hectares, 24.53 hectares of which is developable for residential purposes with the remainder accommodating the Leneva local sports reserve (8 hectares of DCP funded active open space); a local park (3.02 hectares of clause 52.01 credited open space); Wodonga Retained Vegetation Network (WREN) land/conservation reserve (19.06 hectares of uncredited encumbered open space); and land identified for ‘landscape values’ to the east of Fredrick Street Road (2.10 hectares within the 1:100 year flood level).

Plan 9 (Integrated water management) of the PSP shows the presence of local parks and the sports reserve in the precinct, in particular the location of SR-01 on Property 8.

Objective 9 of the PSP considers active open space:

‘Provide opportunities for participation in informal and formalised sport and activities through the provision of active open space and sporting facilities, in particular, contributions to the development of the Baranduda Sports and Recreation Facility.’

The Panel agrees with Council that the Sports reserve (SR-01) is appropriately located adjacent Baranduda Boulevard and in an area that assists the development of the sports reserve. The Panel is also of the view that one of the benefits of a DCP is that properties that are apportioned a greater contribution of open space are appropriately compensated.

As detailed in submissions, the WREN provides a skeleton for the PSP open space layout and was instigated prior to the undertaking of this PSP. Consideration of changes to the WREN is not within scope of this Amendment, so the Panel agrees with Council that the open space allocation on Property 8 should not be altered. Where possible, co-location of open space with the WREN reserve should be encouraged to enhance the useability and amenity of the land, increasing the linked open space network. The Panel, however, considers that future
work to rationalise the boundary of the WREN reserve could be undertaken informed by the future urban structure of the PSP.

(iv) Conclusions
The Panel concludes:
- The Development Contributions Plan adequately responds to the equalisation of public open space across properties.
- Sports reserve SR-01 is appropriately located adjacent Baranduda Boulevard and in an area that assists the development of sports reserve.

3.2 Leneva Local Centre location

(i) The issue
The issue is whether the PSP has appropriately located the Leneva Local Centre.

(ii) Evidence and submissions
Pares Estate submitted the view of a Certified Practising Valuer regarding one of the contributors to a successful retail or convenience centre as being exposure and that:

_Council had approached urban outcomes from a New Urbanism perspective that highlights the importance of commercial facilities being at the intersection of two ‘movement’ economies._

Pares Estate requested that the Leneva Local Centre be relocated from Property 30 to Property 8 because the Frederic Street Road and Baranduda Boulevard intersection at its boundary meets these requirements.

Council did not support the proposed Leneva Local Centre being relocated to Property 30 as “…there are significant benefits to be gained from co-locating this centre with the community facilities”. Council added that:

… the proposed location of this centre, on a local connector road (Frederic Street Road) would ensure that its development (and its retail catchment) does not disrupt the primacy of the Baranduda centre and its retail catchment on Baranduda Boulevard.

In his expert witness statement, Mr De Silva highlighted the importance of ensuring that the planned centres do not detract from the primacy of the Wodonga central business area.

(iii) Discussion
PSP Table 4 states that the Leneva Local Centre will be on Property 30 with a retail floor area of 5,500 square-metres. As a Neighbourhood Activity Centre, it will ultimately serve a forecasted population of 7,000. The PSP identifies the Leneva Local Centre as being:

...located adjacent to the Fredrick Street Boulevard with a main street oriented towards a local high-point ... as servicing the local community in the northern section of the PSP ... (and) ... To be restricted until substantial growth of the Baranduda Town Centre.
Section 3.4.2 of the PSP details the positive attributes of the location that are to be incorporated into the design response, with Figure 6 (Leneva Local Centre Concept Plan) providing a spatial representation of the relationship between the Leneva Local Centre and the adjacent community facilities.

Section 3.4.2 of the PSP provides Requirement R42:

*Land use and development within the Leneva Local Centre must be located generally in accordance with Plan 2 and Table 4, respond to the concept plan in Figure 6 and address Appendix B.*

This section also provides Guideline 27:

*Design of buildings in the Leneva Local Centre should provide visual interest at the pedestrian scale, with active and activated façade treatments. Long expanses of unarticulated façade treatments should be avoided.*

R42 and G27 support the Key Objective O15: *Co-locate schools, sporting facilities, parks and other community facilities to create social hubs.*

Clause 11.03-1S of the SPPF has the objective:

*To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.*

One of the attributes described by the SPPF for an activity centre is that “*it is a focus for business, shopping, working, leisure and community facilities.*” With consideration of the type of activity centre proposed, the Panel considers that the proposed location for the Leneva Local Centre meets the SPPF and Objective 15 of the PSP through co-location with community facilities; and its location will facilitate a social hub and multi-purpose trips. The location of the Leneva Local Centre off the main connector road, Baranduda Boulevard assists to minimise any negative effect of the Leneva Local Centre on the Wodonga Town Centre. The siting will also enable a pedestrian scale that would be difficult to achieve if located on the main connector road, Baranduda Boulevard.

(iv) Conclusion

The Panel concludes that the Precinct Structure Plan appropriately locates the proposed Leneva Local Centre.

3.3 PSP Property 11 (proposed cemetery)

(i) The issue

Property 11 is a 20-hectare site located on Kiewa Valley Highway. The issue is whether the Property 11 should be designated as ‘cemetery’ instead of the applied zone – General Residential Zone.
(ii) Evidence and submissions

The Wodonga Cemetery Trust submitted that Property 11 should be designated as ‘cemetery’ instead of the applied General Residential Zone. Council supported the Trust’s submission to identify Property 11 for the purposes of a cemetery and referred to Document 1A which proposes to:

- change the applied zone in UGZ1 from General Residential Zone to Public Use Zone 5
- change the land use budget tables in the PSP and the DCP to reflect the site being removed from the net developable area.

Council explained that this change would ensure that the site would be used as a cemetery in accordance with the PSP.

(iii) Discussion and conclusion

The Panel supports Council in redesignating the land to reflect its intended purpose.

(iv) Conclusion

The Panel concludes the UGZ1 applied zone for Property 11 should be Public Use Zone 5 to reflect its proposed cemetery land use.

(v) Recommendations

The Panel recommends:

Amend Urban Growth Zone Schedule 1, as shown in Appendix B, to:

a) apply Public Use Zone 5 as the applied zone to Property 11 in Table 1.

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) recognise Property 11 as a cemetery instead of residential land.

Amend the Leneva-Baranduda Development Contributions Plan to:

a) exclude 20 hectares of land (Property 11) from the net developable area and from any contributions.

3.4 PSP Property 42 (Trinity Anglican College land)

(i) Background

The former Trinity Anglican College (Trinity College) is located at 34 Ellen McDonald Drive, Baranduda and is identified as Property 42 (Existing Non-Government School) in the PSP. The Amendment proposes to apply the Heritage Overlay (HO54) to Lange Farmstead which is located on the land.

PSP Requirement R15 states:

‘Any subdivision and/or development of land adjoining or containing a heritage site identified under the Heritage Overlay in the Wodonga Planning Scheme must have regard to the heritage significance of the site and provide a sensitive interface to the satisfaction of the responsible authority.’
Two Guidelines in the PSP apply to heritage places in the PSP such as this former dwelling:

‘Guideline 8: Development of land subject to the Heritage Overlay in the Wodonga Planning Scheme or of post-contact significance such as Victorian Heritage Inventory sites should ensure that the heritage place is recognised, well integrated and becomes a prominent feature of surrounding subdivision and urban character.

Guideline 9: Adaptive reuse of properties subject to the Heritage Overlay in the Wodonga Planning Scheme is encouraged if it is demonstrated that it will contribute to the long-term conservation of these heritage places.’

(ii) Heritage citation

Description

The former farmhouse is a face brick building with a pyramidal roof clad with corrugated metal. The façade is symmetrical with a central door with windows on either side. It originally had a verandah but this has since been removed. The rear has a weatherboard addition (constructed at a later date).

What is Significant?

The farmhouse at 34 Ellen McDonald Drive. The later additions are of significance, as are the two large trees at the front of the house.

How is it Significant?

The farmhouse is of local historic and aesthetic significance to Wodonga City.

Why is it Significant?

The farmhouse is of historic significance for its association with local German community. The region had a number of German settlements and these were established in the late 19th century when Germans migrated from both established German settlements in South Australia and from Germany. Australia was a popular destination for German immigrants from as early as 1838 when religious persecution in Prussia led to the first organised group of Lutherans migrating South Australia – Criterion A (historical significance).

The architecture of the house is typical for the late Victorian period. It demonstrates most of the architectural features associated with this period. This includes the symmetrical front façade and the regular placement of windows. The pitching plates for the verandah are evident and the verandah would have once encircled the house. The Colonial brick bond is a typical brick saving bond used on many modest scaled brick buildings and in particular in rural areas. The later timber additions are of interest for their design and scale – Criterion D (representativeness).

(iii) The issue

The issues are:

- whether Property 42 should be redesignated in the PSP from ‘existing non-government school’ to acknowledge the school’s closure and its future use
• whether Lange Farmstead sufficiently meets the local heritage threshold to justify applying the Heritage Overlay.

(iv) Evidence and submissions

Property 42 designation
Trinity College submitted that in early 2017, it resolved to close its Baranduda Campus and move all students to its existing Thurgoon Campus in New South Wales. It requested that the Amendment be revised to show and describe the future use and development of the land for residential purposes instead of school purposes. Council agreed that Property 42 should be designated for future residential, and that the land use budget, DCP calculations, plans and mapping associated with the PSP be revised to reflect this change.

Heritage Overlay (HO54)
Trinity College requested that the Heritage Overlay not be applied to Lange Farmstead due to structural damage, and because the heritage significance was identified as only of ‘local’ rather than ‘state’ significance.

A letter of inspection by a registered building practitioner was provided that assessed the current structural condition and potential restoration of the former dwelling at 34 Ellen McDonald Road, Baranduda. On 27 April 2018, Trinity College withdrew that part of its submission.

Trinity College considered the building to be of local, and not State, significance. It submitted that the building is not especially rare or unique because it is widely represented in other local and regional buildings of the same significance classification.

Council relied on heritage expert evidence prepared by Ms Kemp of Heritage Concepts and did not call her to be cross-examined at the Hearing.

Ms Kemp referred to previous Planning Panel reports regarding the condition and intactness of buildings in the Heritage Overlay. She stated that Lange Farmstead was allowed to fall into disrepair and was vandalised. However, Ms Kemp considered the brick homestead had high intactness and retained significant heritage fabric. This includes the face brick walling, much of the external timber detailing, the roof and the associated roofing goods. She identified the verandah was missing, however there is documented and physical evidence which clearly shows the extent of original verandah. Ms Kemp considered that this was not detrimental to the heritage place’s significance.

Ms Kemp stated that the place is a good example of its building type and architectural style and is representative of the period. Accordingly, she recommended that the Heritage Overlay be applied to Lange Farmstead.

Council accepted Ms Kemp’s evidence and did not support Trinity College’s original request to not apply the Heritage Overlay.
(v) Discussion

Property 42 designation

The Panel acknowledges that that the PSP may have correctly identified Property 42 as a non-government school at the time it was prepared. The existing and potential future land use is, however, not reflected in the Amendment documentation. The Panel supports Council’s proposed redesignation to appropriately recognise that the land is intended to be used for future residential development. The DCP will need to be revised to recalculate the increased developable residential area.

Heritage Overlay (HO54)

Like Council, the Panel accepts Ms Kemp’s evidence. While it is unfortunate that the building has been left to disrepair, it is highly intact and retains a considerable proportion of its heritage fabric. The Panel was not presented with any evidence to challenge Lange Farmstead meeting HERCON Criteria A and D. It therefore considers that the building has sufficient local heritage threshold to justify the Heritage Overlay.

(vi) Conclusions

The Panel concludes:

- Property 42 should be redesignated from ‘existing non-government school’ to land to be used as future residential contributing to increase in the net developable area of the PSP.
- Lange Homestead (HO54) sufficiently meets the local heritage significance threshold to justify the Heritage Overlay.
- The Heritage Overlay should be applied to Lange Homestead (HO54).

(vii) Recommendation

The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) redesignate Property 42 from ‘existing non-government school’ to a future residential use

Amend the Leneva-Baranduda Development Contributions Plan to:

a) recalculate the land use budget and other affected figures to factor Property 42 being redesignated to future residential use.

3.5 Other education facilities

(i) The issue

The issue is whether the PSP has adequately considered the education needs of the community.
(ii) Evidence and submissions

Two submissions requested that due consideration be given to the education needs of the growth area. At the Hearing, Council submitted that part of the input from the Department of Education and Training (DET) into the PSP included:

*identifying the demand for government schools which is likely to be generated by the new community, existing suburbs and the ability of existing schools in the surrounds to cater for these demands.*

Council submitted that this consideration allowed DET to be confident in the identified location and number of schools to be provided in the PSP.

In its submission, DET requested that:

- plans and tables in the PSP and DCP be amended to refer to ‘Proposed Government School’
- the concept plan Figure 6 and 7 be amended to reflect a preferred layout with the relocation of a proposed internal road at the Leneva Neighbourhood Centre and amendment to the shape of the school site at Bears Hill Community Hub
- a new guideline at Section 3.4.4 read “Where schools and community facilities are co-located, the design and layout of those facilities should encourage the integration of schools, early childhood and other community facilities and services”
- the reference to the status of DET as the lead agency for a future Government P-12 school at Table 9 of the PSP be removed.

At the Hearing, Council submitted that the requests made in the DET submission had been considered, agreed and acted on through post-exhibition changes.

(iii) Discussion

The PSP and DCP consider the provision of education facilities. The PSP proposes two new government primary schools in the Precinct and acknowledges the existing education facilities being Trinity College (Property 42) and St Francis of Assisi Primary School (Property 48). The Panel has already determined that Property 42 should be designated for future residential development.

In considering the submission from DET, Council agreed to make all the changes requested. The Panel sees no reason to differ from Council’s view, and agrees the changes be made to accommodate DET’s requirements to consider the education needs of the community.

(iv) Conclusions

The Panel concludes that the PSP has satisfactorily considered the education needs of the future community.
(v) Recommendations

The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) revise relevant plans and tables refer to ‘Proposed Government School’

b) revise the concept plan Figure 6 and 7 to reflect a preferred layout with the relocation of a proposed internal road at the Leneva Neighbourhood Centre and amendment to the shape of the school site at Bears Hill Community Hub

c) insert a new guideline at Section 3.4.4: “Where schools and community facilities are co-located, the design and layout of those facilities should encourage the integration of schools, early childhood and other community facilities and services”

d) remove the reference to the status of Department of Education and Training as the lead agency for a future Government P-12 school at Table 9 of the PSP be removed.

Amend the Leneva-Baranduda Development Contributions Plan to:

a) revise relevant plans and tables to refer to ‘Proposed Government School’.
4 Industrial / residential interface

4.1 The issue

The issue is whether the Amendment sufficiently considers the interface between existing industry and proposed sensitive land uses to enable an adequate buffer.

4.2 Evidence and submissions

In a submission prepared by Tract, Vitasoy sought to ensure that the PSP considers proximity of sensitive land uses to its operations in the Baranduda Enterprise Park Industrial Estate. The submission raised specific issues that are provided in Table 3.

Table 3  Vitasoy issues and Council response

<table>
<thead>
<tr>
<th>Vitasoy issue</th>
<th>Council response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requests clarity be provided in regard to the interface of the PSP land with</td>
<td>A 1.5 kilometre buffer zone from the Green Chip composting facility has been provided with extends up to 250 metres to the west of the Kiewa Valley</td>
</tr>
<tr>
<td>Baranduda Enterprise Park.</td>
<td>Valley Highway. This buffer is proposed in accordance with the EPA guidelines for such facilities despite the absence of any odour or amenity modelling. Council has provided the buffer in response to Clause 21.03-2 (Strategy) of the Wodonga Planning Scheme. EPA has indicated its support for the buffer.</td>
</tr>
<tr>
<td>Requests that the Baranduda Sports and Recreation Facility remain, and no</td>
<td>The Baranduda Sports and Recreation Facility will remain as exhibited and will not be relocated.</td>
</tr>
<tr>
<td>residential land be located within proximity of the Baranduda Enterprise Park.</td>
<td></td>
</tr>
<tr>
<td>Requests that the WREN be extended north of the Baranduda Sports and</td>
<td>The inclusion of additional WREN land into category 3 land (conservation reserve land) is not supported.</td>
</tr>
<tr>
<td>Recreation Facility to provide a landscape corridor along the Kiewa Valley</td>
<td></td>
</tr>
<tr>
<td>Highway (KVH).</td>
<td></td>
</tr>
<tr>
<td>Requests that a linear strip of land at the eastern end of the Cemetery</td>
<td>A 60-metre strip of land at the eastern end of the Cemetery parcel is currently zoned Public Park and Recreation Zone. As with the submission from the Cemetery Trust, it is proposed to continue to rezone the site (property No 11) but to retain the current applied zones at this property.</td>
</tr>
<tr>
<td>land (along the KVH at lot 1 PS 407656) remain as PPRZ</td>
<td></td>
</tr>
<tr>
<td>Requests greater clarity be provided in respect of the industrial interface</td>
<td>During discussions with Tract, officers have explained the referral trigger at clause 66.06 which has been inserted into the planning scheme and will refer any proposed sensitive use within the buffer to the EPA.</td>
</tr>
<tr>
<td>of nearby residential land use, to minimise the potential for amenity</td>
<td></td>
</tr>
<tr>
<td>impacts on future dwellings within the proposed residential areas.</td>
<td></td>
</tr>
<tr>
<td>Seek to have objective 13 of the PSP amended to include the words “or other sensitive land uses within ...”</td>
<td>Agree to amend this objective to include “or other sensitive land uses”.</td>
</tr>
<tr>
<td><em>Seeks to have the working of Requirement 18 amended to include information requirements for sensitive land use to also include the example of “acoustic modelling”. Include at Requirement 18, the term Subdivision “or /building and works” in the opening sentence of this requirement.</em></td>
<td>agree to amend Requirement 18 to include the example of information requirements “acoustic modelling” and to include the wording “subdivision and/or development”.</td>
</tr>
<tr>
<td>Suggest that the industrial interface area be expanded in width to a minimum of 200 m from the Kiewa Valley Highway. Additionally, the Vitasoy submission requested the extension of the WREN to provide an additional landscape corridor along Kiewa Valley Highway and revision to the PSP requirements to provide greater clarity regarding the industrial interface.</td>
<td>Officers do not recommend that Council support the request that the industrial interface area be expanded in width to a minimum of 200 metres from the Kiewa Valley Highway. Council has provided a 1.5-kilometre buffer in accordance with its Municipal Strategic Statement. It is of note that nowhere in the submission has the submitter undertaken its understanding of buffer distances or to verify its own setback requirements at Clause 52.10 of the Victorian Planning Provisions (VPP). Officers note that the Clause 52. 10 specifies a default 300-metre threshold distance for “milk products”. The current distance between the Vitasoy site and KVH is in excess of 400 metres.</td>
</tr>
</tbody>
</table>

At the Hearing, Vitasoy submitted that the green waste facility odour buffer provided sufficient separation distance and protection to its operation. Accordingly, Vitasoy considered that it had no outstanding issues to be resolved.

Greenchip Recycling (Ileowl Pty Ltd) submitted support for the 1,500-metre separation distance from its operations, as shown on Plan 6 of the PSP. Greenchip Recycling considered the separation distance between the Baranduda Enterprise Industrial Estate and incompatible uses to be important.

In its submission, EPA supported a buffer zone being applied between existing industry and proposed sensitive land uses. It particularly supported the proposed permit requirement for accommodation uses within specified distances in UGZ1 and requirement for statutory notice to EPA in Clause 66.06 of the Planning Scheme.

In the Part B submission, Council submitted that the existing industrial operations or land directly influenced the PSP, particularly the buffer distances on Plan 2 of the PSP (
Table 4).
Both Vitasoy and Council considered Vitasoy’s operation to be ‘milk products’ with a default 300-metre threshold distance, as defined in Clause 52.10. Council submitted that it is satisfied with the proposed separation because the Vitasoy site is:

- more than 460 metres from the western side of the Kiewa Valley Highway
- more than 500 metres from the proposed sensitive use identified in the PSP.

Council’s post-exhibition changes (Document 1A) proposed to amend the PSP to add “or other sensitive land uses” to Objective 13 and to add “subdivision and/or development” to Requirement 18.

### 4.3 Discussion

The Panel acknowledges the importance of Baranduda Enterprise Park, as identified in the Wodonga Strategic Framework Plan (Clause 21.02-4 of the Planning Scheme). Kiewa Valley Highway separates the Precinct from Baranduda Enterprise Park. The exhibited PSP identifies an industrial interface that extends along two-thirds of the PSP’s eastern boundary. It also identifies the 1.5km green waste facility odour buffer which overlaps a portion of the industrial interface referred to by Greenchip Recycling. The industrial interface and the green waste facility odour buffer are shown in Plan 6 in the PSP and addressed through Objective 13.

PSP Objective 13 states:

*Ensure that residential development the precinct responds appropriately to the Baranduda Enterprise Park.*

More specifically, PSP Requirement 18 states:

*Subdivision, which includes land identified as ‘industrial interface’ on Plan 6 must provide a design response (e.g. earth mounds, vegetation screening and internal loop roads) which addresses potential amenity impacts arising from industrial development in the Baranduda Enterprise Park, to the satisfaction to the responsible authority.*

The Amendment proposes non-residential uses for most of the interface, in recognition of the existing industrial area. The PSP nominates the Baranduda Sports and Recreation Facility, Wodonga Retained Environment Network, and four-lane arterial road as part of this interface.

The Panel considers that the PSP adequately responds to Clause 21.03-3 (Urban Growth) of the Planning Scheme which seeks to “Provide a buffer around industrial land at Baranduda Enterprise Park at Precinct Structure Plan Stage, to prevent encroachment from future sensitive uses”. The PSP and UGZ1 Clause 2.5 respond to Clause 21.13-7 of the Planning Scheme.

### Table 4 Buffer distances as shown on Plan 2 of the exhibited Precinct Structure Plan

<table>
<thead>
<tr>
<th>Industrial operations</th>
<th>Buffer specified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenchip Recycling</td>
<td>1.5km green waste facility odour buffer</td>
</tr>
<tr>
<td>Retired landfill abutting the north-western boundary of the PSP</td>
<td>250 metre and 500 metre ‘landfill gas migration buffer’</td>
</tr>
<tr>
<td>Concrete batching plant</td>
<td>100 metres</td>
</tr>
</tbody>
</table>
Scheme which includes an implementation action as to “Apply appropriate interface treatments around the Baranduda Industrial Precinct providing a transition from industrial to incompatible urban development and use”.

4.4 Conclusions

The Panel concludes:

- The exhibited industrial/residential interface is consistent with Clause 21.13-7 and Clause 52.10.
- Requiring a planning permit for accommodation uses and requiring statutory notice to EPA will ensure that relevant permit proposals are appropriately assessed to better understand any potential impacts on existing industry.
- The Amendment sufficiently considers the interface between existing industry and proposed sensitive land uses to enable an adequate buffer, however, Council’s post-exhibition changes will improve its operation.

4.5 Recommendations

The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) add “or other sensitive land uses” to Objective 13
b) add “subdivision and/or development” to Requirement 18.
5 Bushfire management

5.1 Background

Bushfire related State planning policy was substantially amended in December 2017. The exhibited PSP was completed before the revised bushfire planning policy was introduced into the Planning Scheme.

Land in the PSP is designated as a Bushfire Prone Area and the Bushfire Management Overlay (BMO) applies to extensive areas in the PSP area and its surrounds. The PSP includes an area of retained vegetation – the Wodonga Retained Vegetation Network (WREN) and includes Plan 4 which identifies a fire threat edge (Figure 4 of this report).

Figure 4  PSP Landscape and Urban Character (Natural) showing the fire threat edge in red

5.2 The issues

The issues are whether the Amendment:

- is consistent with Clause 13.05 of the State Planning Policy Framework
- has satisfactorily considered the relationship between the development of the PSP land for urban purposes, maintenance of the WREN and management of bushfire risk.

5.3 Evidence and submissions

Country Fire Authority (CFA) submitted that:

*The exposure benchmark in Clause 13.05 for a planning scheme amendment is BAL12.5. This accords with Column A in Table 2 to Clause 52.47 and we note that this has mostly been accommodated into the PSP.*
Due to the permanent risk from grassfire on the long-term edge of urban areas, perimeter roads should be provided as recommended in the original CFA submission. Perimeter roads will enable the defendable space to achieve the exposure benchmarks to be provide via the road reserve and avoid the need for any controls on individual lots. CFA does not consider local fire trails as suitable for consideration as perimeter roads.

CFA made suggestions for strengthening the approach to bushfire risk including:
- Updating Plan 4 to ensure the ‘fire-threat edge’ is shown on all long-term edges of development to a bushfire hazard.
- Appendix C of the PSP includes a specific ‘bushfire hazard interface cross-section to complement and give effect to Requirement 3 on Page 17 of the PSP.
- The provision of perimeter road along the edge of the WREN.

Council submitted that the measures adopted in the Amendment (across a combination of the PSP and the UGZ1) appropriately address bushfire risk and future management in the development of the growth area. Council also submitted that following receipt of CFA’s submission in February 2018, Council has consulted with CFA on the measures adopted and no further issues have been raised.

In response to the original Habitat Planning submission, Council confirmed that the 19-metre road reserve width at the interfaces has been assessed as providing the appropriate interface between a conservation reserve system and development. At the Hearing, Mr Montebello submitted that the 19 metres was derived from Column A of Table 2 to Clause 52.47, being Shrubland. When questioned by Mr Tobin, Mr De Silva acknowledged that the fire threat edge is not defined and that VC140 has an absolute requirement to achieve BAL12.5. At the Hearing, Mr Tobin submitted that his clients have particularly concern regarding how the Fire Threat Edge has been identified and the requirement for a mandatory 19-metre-wide road reserve between the edge of the fire threat and lot that may be developed for a dwelling. In Document 18, Mr Tobin submitted that the R3, R4 and R5 requirements duplicate provisions in the Planning Scheme and should be revised to reference the relevant planning scheme provisions at the time. Council responded by proposing the following changes:
- R3 - Where a lot capable of accommodating a dwelling is adjacent to a Fire Threat Edge as identified in Plan 4 a road in accordance with the Fire Threat Edge cross section in Appendix C of the PSP must be provided between the Fire Threat Edge and the lot which the dwelling may be developed.
- R4 - Defendable space must be provided in accordance with the Planning Scheme.
- R5 - Existing R4.
- Delete existing R5.

Council also proposed its own changes to R1 and R2.

5.4 Discussion

The establishment of the WREN is recognised by Clause 21.04-1 of the Wodonga Planning Scheme. The exhibited PSP identifies a ‘fire threat edge’ which extends along the edge of
the WREN, predominantly where the WREN is contained within the Bushfire Management Overlay (BMO). The PSP includes Plan 4 which identifies a fire threat edge and includes:

**Objective 21:**

**O21 Ensure that bushfire protection measures are considered in the layout, staging and design of development and the local street network.**

**Requirement 3:**

**R3 Where a lot capable of accommodating a dwelling is adjacent to a Fire Threat Edge as identified in Plan 4, defendable space must be provided in the form of a 19m (minimum) wide road reserve between the edge of the fire threat and the lot on which the dwelling may be developed.**

The Panel shares the concerns of Mr Tobin’s clients regarding the accuracy and specificity of the implementation measure of a 19-metre road reserve. The Panel considers that the Shrubland designation is not consistent with the Native Vegetation Precinct Plan which guides the development of the WREN, and that the defendable space and building setback distances should be determined based on the ultimate state of the WREN. The Panel agrees with the CFA that the use of a road reserve interface for the WREN is an appropriate design response to bushfire risk. The Panel does not support CFA’s view that a specific road cross-section needs to be included in Appendix C of the PSP. The Panel prefers changes to the existing local Access Street Level 1 Conservation interface to better acknowledge the influence of bushfire risk on the cross-section design.

The Panel considers that the management of bushfire risk in the PSP has been reinforced through recent BMO mapping updates and the revised State planning policy for bushfire planning. The revised policy, among other new clauses and strategies, directs:

> Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL12.5 rating under AS3959-2009.

As the WREN is established, the BMO may need to be extended consistent with Advisory Note 46 (Bushfire Management Overlay Mapping Methodology and Criteria). The Panel considers that further work is required to ensure the PSP acknowledges bushfire risk and responds to the envisaged ultimate state of the WREN appropriately for an approval consistent with Clause 13.05.

The Panel supports Council’s proposed changes to the R1, R2, R3, R4 and R5 requirements because they will improve the bushfire response in the PSP.

### 5.5 Conclusions

The Panel concludes:

- The Amendment is generally consistent with Clause 13.05 but would benefit from further clarity through UGZ1 and the PSP.
- Bushfire risk should be reassessed to consider the ultimate state of the WREN and whether the BMO should be realigned.
The PSP should not specify a 19-metre road reserve to address bushfire risk because it is premature to determine whether this is the appropriate response.

Council’s post-Panel changes for R1, R2, R3, R4 and R5 in Document 31 will improve the bushfire response in the PSP.

5.6 Recommendations

The Panel recommends:

Amend the Urban Growth Zone Schedule 1 to:

a) include the following additional Requirement in Section 3.0 (Application requirements):

For the purposes of Clause 13.05, a site analysis plan which demonstrates the subdivision is designed and oriented to ensure a BAL rating of no greater than BAL12.5 is achieved.

b) revise the Site Management Plan dot point within Clause 4.0 (Conditions and requirements for permits) to include the additional words (as underlined):

... An area of land between the development edge and non-urban areas, such as the Wodonga Retained Environment Network, consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed to enable the development, on completion, to achieve a maximum BAL 12.5 rating under AS3959-2009.

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) remove ‘19 metres’ from Requirement 3 to enable the road reserve width required to be variable dependent on the fire risk and the design response required to ensure bushfire defensible space and building setback distance standards are met.

b) revise Plan 4 (Landscape and Urban Character (Natural)) to extend the fire threat edge to all interfaces with the WREN based on the fire risk of the ultimate state of the WREN.

c) amend Figure 1 (Potential Interfaces with the Wodonga Retained Environment Network) to include the fire threat edge in the design response.

d) add in the Glossary of Terms: “Fire Threat: The interface between urban development and an area which presents a permanent potential for fire to impact on a community.”

e) amend the road cross-section in Appendix C (local Access Street Level 1 Conservation Interface) to indicated that the road reserve width required is variable dependent on the fire risk and the design response required to ensure bushfire defensible space and building setback distance standards are met.

f) change the R1 requirement to:

A frontage road must be provided interfacing any conservation reserve land (category 3 land in the LVBNVPP) and other open space. In exceptional circumstances where topography prevents practical delivery
of a road reserve the responsible authority may permit lots directly
adjoining a conservation reserve or open space, however the lots
adjacent must front onto the reserve or open space with other
appropriate interface treatment such as pedestrian and cycle ways and
passive surveillance design elements. Figure 1 outlines further guidance
in relation to the preferred interface with a conservation reserve.
Where no road is provided between a lot able to contain a dwelling and
a conservation reserve, a lot must also provide the defendable space
required by the Planning Scheme.

\[\text{g) change the R2 requirement to “Landscaping adjacent to retained native}
\text{vegetation or habitat must be complementary to conservation and bushfire}
\text{management objectives and use appropriate native species to the}
\text{satisfaction of the responsible authority.”}\]

\[\text{h) change the R3 requirement to “Where a lot capable of accommodating a}
dwelling is adjacent to a Fire Threat Edge as identified in Plan 4 a road in
accordance with the Fire Threat Edge cross section in Appendix C must be}
provided between the Fire Threat Edge and the lot which the dwelling may
be developed.”}\]

\[\text{i) delete the R5 requirement.}\]

\[\text{j) renumber the existing R4 requirement into a new R5.}\]

\[\text{k) apply a new R4 requirement “Defendable space must be provided in}
accordance with the Planning Scheme”}\].
6 Landscape values

6.1 The issue

The issue is whether the PSP has appropriately designated the 'landscape values' for Properties 36 and 38.

6.2 Evidence and submissions

The Panel heard submissions from Mr Nightingale and Mr Schlink about the application of the 'landscape values' designation in the PSP, particularly regarding limiting development due to visual amenity.

At the Hearing, Council responded that the 'landscape values' designation signals to Council, landowners and service providers that these are areas where there are constraints on development due to servicing or landscape amenity. The 'landscape value' designation applies to a larger area in the west, small section of land at the edges of the PSP and along the creek/WREN interface. Council submitted that these areas have been identified as locations at or above the 240 AHD contour line or within the 1 in 100 year flood event.

Council explained that in their experience the elevation in areas above the 240 contour level results in significant servicing difficulties and results in the provision of substandard services. Council identified that landscape amenity needs to be considered because the area is at, or above, the 240-metre contour line where built form would be generally visible from various locations around the valley.

In his expert evidence, Mr De Silva referred to the PSP and stated it is apparent that the extent of the area defined as containing landscape values coincides with the 240-metre contour and that land below the 240-metre contour is indicated as residential land and that the combined area above and below the 240-metre contour would have an applied zone of general residential. Mr De Silva recommended that, given the constraints of the land, there may be merit in allowing one additional dwelling for each existing lot. Council submitted that if this recommendation was adopted it would allow a potential subdivision of only one additional lot/dwelling per existing title; and that subdivision must not intrude into the Rural Conservation Zone.

The Panel inspected the site’s environs and were taken to a location advised by Council as being representative of the 240-metre contour. The Panel was unable to observe Property 36 from this viewpoint, however were able to view Property 38 from the viewpoint.

6.3 Discussion

The 'landscape values designation' is applied to land that is either at or above the 240 AHD contour; or contained within the 1 in 100 year flood event. Plan 4 (Landscape and Urban Character (Natural)) on page 14 of the PSP depicts the area designated as 'landscape values' and show the 1 in 100 year flood event. Plan 4 does not specifically depict the 240-metre contour. The Panel considers that the absence of the 240-metre contour from Plan 4 may have contributed to ambiguity in the application of the landscape values designation to land at the higher elevation. The Panel understands that the application of the landscape values
designation to the land above the 240-metre contour has been undertaken to meet two objectives. The first objective is the protection of the ‘landscape value’ of the hills, particularly when viewed from the PSP. The Panel understands the second objective is to address Council’s concern about the challenges in servicing any future development to the land with particular regard to reticulated water and sewerage services.

The Panel agrees with Mr De Silva that there is the potential for land to be minimally developed noting its constraints with elevation and servicing. However, given the intent of the ‘landscape values’ Panel concludes that Property 36 can be considered for development as it is not able to be readily viewed and is below the 240-metre contour. Property 38 does not share the same attributes.

The Panel acknowledges existing local planning policy including the Wodonga Growth Strategy which seek to protect the ‘landscape value’ of the hills and the positive view lines to the surrounding hills. The Panel agrees with Council that there is a need for the ‘landscape value’ designation. Regarding the bushfire issues outlined in Section 5, further work needs to be undertaken to demonstrate the ability of future lots to achieve BAL12.5, and to guide the applied zone.

### 6.4 Conclusions

The Panel concludes:

- Subject to the further work being done regarding bushfire risk:
  - the ‘landscape values’ designation should be removed from land Property 36.
  - an appropriate applied zone be determined that reflects the development potential of the land.
- Property 38 should remain with its designated ‘landscape values’, as exhibited in the PSP.
- The application and definition of the landscape values designation, including its objectives needs to be made more explicit in the PSP.

### 6.5 Recommendations

The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

- a) revise Plan 4 (Landscape and Urban Character (Natural)) to depict the 240 AHD contour.
- b) remove the ‘landscape values’ designation from Property 36, subject to it being demonstrated that any development, on completion, will achieve a maximum BAL 12.5 rating under AS3959-2009.
- c) add in the Glossary: "Landscape Values: land at or above 240 contour or within the 1 in 100 year flood event".
7 Transport infrastructure

7.1 North-south connector road alignment

(i) The issue

PSP proposes a north-south connector road between Baranduda Boulevard and the proposed east-west connector road between Streets Road and Kiewa Valley Highway. The road will traverse through Properties 26 and 27. The issue is whether the connector road should be realigned to abut the middle creek conservation land to enable greater subdivision potential to Properties 26 and 27.

(ii) Evidence and submissions

The owners of Properties 26 and 27 submitted that the proposed north-south arterial roads would adversely impact their land’s subdivision viability. They considered that realigning the road to enter the land at the eastern most point and skirt the Retained Environmental Network would offer a better vista and reduce its impact on development potential.

Mr Butler, in his expert evidence, stated that the proposed alignment provides the most efficient vehicular access for both connector roads at Baranduda Boulevard because they will intersect at a roundabout. He explained that the submitters’ proposal to realign the road would require an additional intersection 350 metres east of the proposed connector road extending south. He added that given that traffic volumes for the connector road extending north from Baranduda Boulevard and the Boulevard itself are expected to be about 15,000 and 27,500 vehicles each day respectively, the intersection for these two roads would need to be controlled.

Council agreed with Mr Butler’s opinion and submitted that it did not support the connector road being realigned as proposed by the property owners. Council noted that it is “common practice to resolve the detailed alignment of connector roads at the subdivision stage when the subdivision design can inform the alignment of the connector road.”

(iii) Discussion and conclusion

The Panel accepts Mr Butler’s evidence, and agrees that the proposed north-south connector road alignment provides the most efficient vehicular access outcome. Introducing a second controlled intersection 350 metres from another would unnecessarily increase road construction costs and delay travel time. The Panel agrees with Council that the road should not be realigned as proposed by the property owners.

The Panel concludes that the north-south connector road alignment proposed by the PSP provides the most efficient vehicular access and should not be realigned.

7.2 Boyes Road

(i) Background

The DCP includes road project RD-02 to construct the interim 2-lane and ultimate 4-lane Boyes Road secondary arterial shown in the DCP and PSP (Figure 5 of this report).
Figure 5  Boyes Road 4 lane (Interim and Ultimate)

Source: Leneva-Baranduda DCP pp52-53

(ii)  The issue

The issue is whether the DCP has appropriately calculated the costs for Boyes Road, including land acquisition and construction.

(iii)  Submissions

The Habit submission for Mr Pietila and Mr Vukasinovic referred to a proposed road between Baranduda Boulevard and Boyes Road (RD-02) identified in DCP Plan 8. DCP Table 10 includes an estimate cost to “purchase all land that is within the PSP for an ultimate 4-lane secondary arterial.” It noted that a majority of the road is outside the PSP, therefore the DCP should revised Items RD-02 and RD-02c if it has excluded the section of road outside the PSP.

Council submitted that the DCP does not fund the purchase of land outside the PSP and that:

*It does, however, fund the interim construction of Boyes Road for its length, including across land outside the PSP in the area that has been identified as the Glenwood Estate. Note that part of Glenwood Boulevard to the east, has already been constructed. It is not proposed to include this section of RD-02 in the DCP.*

Council explained that the Victorian Planning Authority’s 34-metre standard for a Secondary Arterial Connector has been applied to Boyes Road (Interim). It did not support the DCP funding land and the construction of Boyes Road (Ultimate) outside the PSP.
Council’s post-exhibited changes circulated 1 July 2018 propose to revise the DCP to clarify that it will fund only land in the PSP for the ultimate 4-lane construction of Boyes Road.

(iv) Evidence

Mr Butler gave evidence that the proposed PSP arterial road network will provide adequate capacity to manage future development, through traffic and local trips to the proposed connector road network.

Mr De Silva supported Council’s response and made further comments. He stated that, based on information in the PSP and DCP, the DCP assumes that the necessary land would be set aside for road purposes through the Glenwood Estate through other processes. He considered that it is technically possible to fund land acquisition outside the PSP/DCP area.

Mr De Silva stated he had little to no doubt that the Glenwood Estate will contribute traffic demand for these projects but is not contributing to the cost of the road projects. He said that the DCP should clarify that a land contribution from the owner of the Glenwood Estate is a practical approach in lieu of any contribution to the cost of the land or construction projects.

(v) Discussion

The Panel agrees with Council’s submission on this matter and considers that the DCP would benefit from clarifying that only land in the PSP will be funded for the ultimate 4-lane construction of Boyes Road. It also agrees with Ms De Silva that the DCP should clarify that a land contribution from the owner of the Glenwood Estate is a practical approach in lieu of any contribution to the cost of the land or construction projects. However, Council should review whether sufficient notice and proper process has been applied to enable such a change through the Amendment.

(vi) Conclusion

The Panel concludes that the DCP:

- has appropriately calculated the costs for Boyes Road, including land acquisition and construction
- would benefit from clarifying the extent of land and road standard to be funded.

7.3 PSP R35, R37 and R38 road requirements

(i) Background

This chapter refers to the following PSP requirements:

R35 Streets must be constructed to property boundaries where a road is shown crossing parcel boundaries in the PSP by any date or stage of development required or approved by the responsible authority.

R37 Where a connector street crosses a waterway as shown on Plan 8 the development proponent must construct a connector street bridge, prior to the issue of statement of compliance for the first stage of residential subdivision,
on the second side of the waterway to be developed, regardless of whether or not that stage of the residential subdivision directly abuts the waterway.

R38 Where a “local connection required” is identified on Plan 8 the development proponent must construct a bridge or culvert, prior to the issue of statement of compliance for the first stage of residential subdivision, on the second side of the waterway to be developed, regardless of whether or not that stage of the residential subdivision directly abuts the waterway.

(ii) The issue

The issue is whether the PSP R35, R37 and R38 road requirements are appropriate for future roads in Leneva-Baranduda.

(iii) Evidence and submissions

The Habitat submission for Mr Pietila and Mr Vukasinovic objected to PSP R35, R37 and R38 requirements and requested that they be deleted. It sought to reword R35 to “by any date or stage of development agreed between the applicant and the responsible authority”. Mr Butler agreed with this change.

It objected to R37 and R38 because requiring the connector street bridge or local road connection at an early stage may be out of sequence with future development. This may result in significant infrastructure investment which may commercial and financial impede new development. The submission was concerned with R37 specifying “regardless of whether or not that stage of the residential subdivision directly abuts the waterway”. It explained that there may be potential horizontal and vertical alignment issues between residential development and bridges separated by large distances.

With R37, Mr Butler stated that “the intention is to prevent a ‘ransom strip’ from occurring. I consider that the R37 should be redrafted to allow the intent of the requirement.”

Council originally responded that PSP R35, R37 and R39 wording is drafted consistently with other PSPs throughout Victoria. It added that this means that development would be in accordance with these requirements and negotiated at the permit stage to the satisfaction of the responsible authority. Council found no suitable justification to vary these requirements from those in other regional areas. It explained that Infrastructure Design Manual states that standards can be varied.

Mr De Silva considered R35 and R37 to be too inflexible and recommended:

- R35 – include a qualification of the requirement to include words ‘by any date or stage agreed between the applicant and the responsible authority’.
- R37 - delete or reword to clarify staging of delivery of bridge connection in consultation with the responsible authority and having regard to need to facilitate access to adjoining land.

At the Hearing, Mr Tobin request a secondary consent mechanism for the responsible authority agreeing to deliver infrastructure at a later stage to account for site context and development sequence. Specifically, it sought:
Streets must be constructed to property boundaries where a road is shown crossing parcel boundaries in the PSP by any date or stage of development required or approved by the responsible authority.

Council agreed to this change for R35 but submitted that R37 and R38 should be changed to:

*Having regard to the need to facilitate access to adjoining land as it is developed, where a connector street crosses a waterway as shown on Plan 8 the development proponent must construct a connector street bridge, prior to the issue of statement of compliance for the first stage of residential subdivision, on the second side of the waterway to be developed, regardless of whether or not that stage of the residential subdivision directly abuts the waterway.*

(iv) Discussion

The Panel understands that a ‘ransom strip’ occurs when a property is landlocked and relies on an adjacent property to access the road. It is noted that no party considered having a property with no road access to be an acceptable outcome. The Panel supports the change to R35 requested by Mr Tobin and agreed to by Council. The Panel prefers Council’s wording for the revised R37 and R38 because it expresses the intended outcome in a more succinct form. These changes are consistent with Mr De Silva’s recommendations.

(v) Conclusions

The Panel concludes:

- The PSP R35, R37 and R38 road requirements, depending on development sequence, may unintenedly result in a property without road access.
- Revising these three requirements in the form agreed to by Council can resolve this issue.

(vi) Recommendations

The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) replace the R35 requirement with:

*Streets must be constructed to property boundaries where a road is shown crossing parcel boundaries in the PSP by any date or stage approved by the responsible authority.*

b) replace the R37 requirement with:

*Having regard to the need to facilitate access to adjoining land as it is developed, where a connector street crosses a waterway as shown on Plan 8 the development proponent must construct a connector street bridge, before a statement of compliance is issued for the first stage of residential subdivision, or any other time approved by the responsible authority, to the other side of the waterway to be developed.*
c) replace the R38 requirement with:

Having regard to the need to facilitate access to adjoining land as it is developed, where a “local connection required” is identified on Plan 8 the development proponent must construct a bridge or culvert, before a statement of compliance is issued for the first stage of residential subdivision, or any other time approved by the responsible authority on the second side of the waterway to be developed.

7.4 Access to Property 1

(i) The issue

The issue is whether it is appropriate for Property 1 to have direct road access to Baranduda Boulevard.

(ii) Evidence and submissions

Mr and Mrs Williams submitted that the current and only access to Property 1 is off Martins Road and the distance from this access point is 920 metres from Baranduda Boulevard. They considered this to be unsuitable for evacuation during a bushfire or other emergency. Mr and Mrs Williams submitted that the PSP does not provide any direct access to Baranduda Boulevard. They explained they would have to rely on neighbouring properties to develop to access the proposed east-west connector road in the longer term and this was out of their control.

Mr and Mrs Williams requested direct road access with Baranduda Boulevard to resolve its issue. The evidence of Mr Marsicovetere of Transport and Traffic Solutions on traffic and transport and Mr Lane of Brett Lane & Associates supported was provided by Rigby Cooke Lawyers for Mr and Mrs Williams. Both expert witnesses were not called because Mr and Mrs Williams reached an agreement before their scheduled presentation to the Panel.

Mr Marsicovetere’s evidence presented three road access options:

- Option 1: Martins Road
- Option 2: Lot 203 Baranduda Boulevard
- Option 3: Existing Road Reserve.

In response, Mr Butler gave evidence that:

The connector road to the south is proposed to be restricted to left in and left out once Baranduda Boulevard is duplicated as shown in Plan 8. In the interim the intersection could be presumably allow for all movements to occur via some localised widening.

I consider that from an intersection spacing point of view that an intersection could be accommodated from the north at this location. In the interim it could be offset from the connector road to the south so as to not form a cross intersection. In the ultimate it would be restricted to left in and left out by virtue of the central median. As it is a local road the connection and the
bridge would be required to be funded by the developer and not through the DCP.

Council did not have any in principle objection to allowing a local access to Property 1 if the connector road access point to Baranduda Boulevard was not available at the time of development subject to:

- the developer paying for costs associated with the additional connection
- excluding the connection from the DCP
- detailed design issues being resolved with relevant authorities when access is sought, including approvals addressing constraints associated with traversing conservation land and the creek.

Council submitted that it was prepared to change the PSP to introduce the following guideline at 3.3.2:

**G24** Access between development sites and an arterial road should, where practical, be via a connector street as shown on Plan 8. Where a connector street providing direct access to a development site from the arterial road network is not available, an access street to provide access to that development site can be provided but must also be to the satisfaction of the road authority and Transport for Victoria. The access road may be required to be removed once direct access becomes available via a connector road.

At the Hearing, Mr O’Farrell representing Mr and Mrs Williams said that they agreed to the proposed G24 guideline subject to replacing the ‘removed’ with ‘closed’. He also sought to revise PSP Plan 8 to identify a ‘potential local connection if required - see G24’. Mr O’Farrell advised that Council agreed to this change. Council’s post-Panel tracked changes version confirmed this (Document 31). For logistical reasons, Council renamed the guideline to 23a.

(iii) Discussion

The Panel acknowledges that Property 1 may have an access issue if future surrounding development is out of sequence. The evidence of Mr Butler and Mr Marsicovetere identify this issue and offer practical options for resolving the matter. The Panel considers that Council’s proposed PSP G23a guideline would resolve Mr and Mrs Williams’ issue. The Panel supports a reference to the road being closed because it achieves the intended outcome – ceasing its access to Baranduda Boulevard. Whether the road itself should remain onsite is a matter for the property owners.

Seeking consent from the road authority and Transport for Victoria will ensure that any road access will achieve an appropriate standard. However, as a guideline, the word ‘must’ is unenforceable. It should be replaced with ‘should’ or translated into a requirement.

(iv) Conclusion

The Panel concludes:

- Property 1 should be provided with the opportunity to have direct road access to Baranduda Boulevard, if future surrounding development is out of sequence.
- Any future road access would be practically guided by:
- a new PSP G23a guideline
- identifying a potential connection on PSP Plan 8.

(v) Recommendation

The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) add the following guideline at 3.3.2:

   **G23a** Access between development sites and an arterial road should, where practical, be through a connector street as shown on Plan 8. Where a connector street providing direct access to a development site from the arterial road network is not available, an access road to that development site can be provided, to the satisfaction of the road authority and Transport for Victoria. The access road may be required to be closed once direct access becomes available through a connector road.

b) identify in Plan 8, a potential local connection to Property 1 associated with the G23a guideline.
8 Drainage infrastructure

8.1 Background

PSP Requirement R52 states:

An application for development must demonstrate that stormwater runoff from the development meets or exceed the performance objectives of the Best Practice Environment Management Guidelines for urban stormwater management (as amended or superseded) prior to discharge to receiving waterways and as outlined on Plan 9, unless otherwise approved by the responsible authority.

The DCP seeks contributions for six wetland projects (W1 to W6) and four wetland and retarding basin projects (WRB1 to WRB4). These projects represent 17.72 hectares and $25,688,484 (includes land and construction). The DCP proposes to recover all costs. Temporary and interim drainage works are not infrastructure projects in the DCP.

8.2 The issue

Chapter 1.6 of this report discusses the procedural matter related to whether Mr Tobin raised a new issue by requesting to revise the DCP to exclude land from contributing to drainage infrastructure.

This chapter considers:

- whether an application for development should demonstrate that stormwater runoff from the development exceeds specified performance objectives
- whether a proportion of properties should provide on-site treatment through the Leneva-Baranduda PSP while also requiring them to contribute to a precinct-wide drainage scheme through the Leneva-Baranduda DCP.

8.3 Evidence and submissions

Mr Pietila and Mr Vukasinovic own land south of Baranduda Boulevard in Baranduda. Their submission prepared by Habitat Planning (Habitat submission) stated that it is unfair if it had to contribute to precinct-level stormwater treatment and management, then must construct its own water treatment and storage basins.

The submission of Ms Corr, Mr Howell and Ms Coughlan had similar concerns and added:

We understand developers have to retain water to “predevelopment flows and the proposed works appears to duplicate this requirement. If out of sequence works occurs then large areas of land could be set aside for these works in addition to onsite works. Eg the inclusion of WRB1 works which is located above the subject land and has a budget of $2.5 million.

Mr Tobin of Harwood Andrews represented Mr Pietila and Mr Vukasinovic at the Hearing. On the first day of the Hearing, Mr Tobin tabled a letter dated 7 June 2018 from Harwood Andrews to North East Catchment Management Authority (NECMA) querying its position on precinct-wide and in-line treatment. It noted that NECMA did not provide a submission to
Council and requested that one be provided to Council and the Panel if NECMA considered precinct-based treatment and in-line treatment to be inappropriate.

Mr Tobin tabled a response dated 15 June 2018 which stated that NECMA:

- supports stormwater precinct-wide treatment if it is constructed before, or with, the development area so that waterways are protected from water quality impacts associated with development
- does not support staged subdivisions where stormwater treatment is postponed to later or final stages and left untreated from the development site for months or years.

Mr Tobin submitted that NECMA’s position and the lack of flexibility in the Leneva-Baranduda DCP mean that property owners would be required to contribute towards a precinct-wide drainage system while also providing its own onsite stormwater treatment before discharging water into waterways. He requested that PSP Requirement R52 be revised to:

- remove the need for stormwater runoff from development to exceed relevant performance objectives
- enable the choice of either on-site treatment or treatment in the wetland where central facilities exist.

Council agreed to remove the need to exceed relevant performance objectives, but it did not agree with the second proposition. Council was satisfied that the PSP requirements did not duplicate the drainage infrastructure to be provided.

At the Hearing, Mr Tobin said the position of Mr Pietila and Mr Vukasinovic is that wetland treatment solutions should be deleted from the Leneva-Baranduda DCP and replaced with a sole requirement for development to treat stormwater onsite to best practice standard.

Mr Tobin explained that 25 to 30 per cent of the PSP area is not in the Middle Creek catchment or sub-catchments, and therefore drains away from the proposed funded water assets. He said that drainage represents 25 per cent of the total DCP levy and that all land would have to contribute $50,000 for each hectare even if it was not serviced by the funded infrastructure. Those not serviced by the infrastructure would have to construct their own on-site treatment infrastructure. Mr Tobin submitted that “This is plainly inequitable and inconsistent with the principle that DCP contributions should be apportioned on a ‘fair and equitable basis’.”

Council disputed Mr Tobin’s 25 to 30 per cent figure, or about 300 hectares, because it included WREN land. Mr De Silva explained that this land should be excluded from the land budget assessment. Council calculated that the likely land area was in the order of 140 to 200 hectares. At the Hearing, Mr Montebello for Council said that it is inappropriate to exclude this land from contributing to the drainage system. He explained that all property owners in the PSP area would benefit from having treated water discharged into the waterway irrespective if they directly discharged into the system or not. Mr Montebello added that it is common for a DCP to fund infrastructure items which property owners access and use differently. He provided the example of road construction which is attributable and available to all property owners whether they opt to use it often, rarely or not at all. He said that it was inappropriate to exclude certain property owners on this basis.
Council referred to paragraph 8 of Mr Tobin’s written submission at the Hearing which states:

*The submissions do not seek to remove costly or unfavourable aspects from the PSP and DCP.*

Council added that Mr Pietila and Mr Vukanovic sought to do just that with the DCP. It explained that exempting some land from contributing towards drainage infrastructure would significantly affect the DCP by adding $42,000 to each net developable hectares.

Mr De Silva peer reviewed the DCP and stated that its form and content is consistent with:
- and satisfies the requirements of Part 3B of the *Planning and Environment Act 1987*
- contemporary examples in metropolitan Melbourne and Regional Victoria.

### 8.4 Discussion

The Panel has considered the appropriateness of requiring certain property owners to provide on-site stormwater treatment through the PSP in addition to requiring them to contribute to a precinct-wide drainage system through the DCP.

The PSP enables the responsible authority to vary or exempt the R52 requirement. However, NECMA will require on-site stormwater to be treated before being discharged into waterways in all circumstances. From that perspective, the PSP R52 requirement is not negotiable for properties that develop ahead of the precinct-wide system or will not drain towards it. For the latter, excluding certain land from the R52 requirement, as sought by the Habitat submission, is not an option. The Panel then considered the second part of the duplication – the DCP requirement.

The Precinct forms part of a broader growth area shown in PSP Plan 1 and replicated in Figure 2 of this report. The DCP does not divide the PSP into sub-precincts for the purposes of infrastructure contributions.

The Panel agrees with Council’s submission on this matter. All property owners will benefit from clean water throughout the Precinct’s waterways. The Panel acknowledges that most, but not all, land in the Precinct will drain to the proposed precinct-wide infrastructure. This degree of nexus is not required and would be too administratively complicated. Not all property owners will use constructed roads to the same degree, nor will a proportion of future households use the proposed community infrastructure consistently. However, like the need for clean waterways, the Precinct will generate demand for these infrastructure items and applying a levy on each developable hectare is fair and equitable.

The Panel does not agree with Mr Tobin’s submission that the DCP contributions are inequitable and inconsistent. The DCP clearly specifies the drainage infrastructure costs and applies the levy equally across land in the Precinct.

The Panel supports the agreed change to R52 to remove the need to exceed performance objectives. The Panel prefers the exhibited R52 requirement because it clearly expresses the outcome sought rather than specifying methods to achieve it.
8.5 Conclusions

The Panel concludes:

- The PSP R52 requirement, subject to removing the need to exceed objectives, is appropriate for achieving intended outcomes sought through the PSP and by NECMA.
- The DCP appropriately apportions the precinct-wide drainage levy to all land in the Precinct.
- The DCP does not need to create sub-precincts to exempt certain land from the drainage levy.

8.6 Recommendation

The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) delete “or exceed” from the R52 requirement.
9 Development Contributions Plan

9.1 Contribution inclusion and exemption

(i) The issues

The issues are:

- whether the cemetery proposed on PSP Property 11 should be eligible for DCP contributions
- whether 0.633 hectares of PSP Property 14 should be exempt from DCP contributions.

(ii) Submissions

Property 11

The Cemetery Trust submitted that the cemetery be recognised as a major community infrastructure facility and be included as an infrastructure item in the DCP to assist the Trust with funding the cost of developing the cemetery.

Council responded that the future cemetery is not an appropriate use or development to include as a DCP infrastructure item. It explained that the Cemetery Trust had not justified that the cemetery is a DCP infrastructure item. It added that the Trust can privately levy fees to support the cemetery’s development and:

Further, if Council was to be nominated as the “lead agency” for the development of the cemetery, it would be responsible for the collection and dispersal of funds, and any shortfall of funds in the development of the site would fall to Council.

Mr De Silva stated that in the many instances he had seen land for other higher order infrastructure, a cemetery was never included.

Property 14

Westmont Aged Care Services (Westmont) submitted that it was interested in purchasing 0.633 hectares of Property 14 of the PSP and that this land should be excluded from the Precinct and not be subject to a DCP contribution.

Council responded that it does not support Westmont’s request to exclude the land from the DCP because it is identified as developable land in the PSP. It added:

Excluding this land and recalculating the DCP based on a potential land purchase would inappropriately shift additional DCP costs on to the remainder of the PSP landowners.

(iii) Discussion

The Panel agrees with Council’s submission and Mr De Silva’s evidence regarding Property 11 and Property 14.

With Property 11, the Panel does not support including the cemetery in the DCP because:
• *Ministerial Direction on the preparation and content of Development Contributions Plans* does not list a cemetery or an item of its type as one which can be included in a DCP.
• If like other cemeteries, the cemetery charged for land and services, it would be ‘double-dipping’ by seeking contributions from property owners in the PSP.

With Property 14, there is no strategic planning reason to exempt it from paying a development contribution.

**(iv) Conclusions**

The Panel concludes:
• The cemetery proposed on Property 11 should not be included as an infrastructure item in the DCP.
• There is no justification to remove Property 14 from the DCP.

**9.2 Public land equalisation method**

**(i) The issue**

The DCP applies the Public Land Equalisation Method (PLEM) to estimate land value. PLEM calculates the average public land contribution required for the PSP. It is expressed as a percentage of net developable area. Public land required for each property is also calculated and compared against the average.

The issue is whether PLEM has appropriately equalised drainage infrastructure on Property 25.

**(ii) Evidence and submissions**

Council submitted that, through the public consultation and exhibition process, Council became aware that PLEM in the DCP did not consider drainage infrastructure being overprovided on Property 25. The land use budget in the PSP and DCP shows no developable land on Property 25 because Wetland W5 and associated open space will take up the entire site. The post-exhibition changes in Document 1A included Council’s intention to revise the DCP to identify overprovision of infrastructure on Property 25.

**(iii) Discussion and conclusion**

The Panel notes the oversight with Property 25 and supports Council’s proposed change to equalise drainage infrastructure proposed for the entire site. The Panel concludes that this would result in a fairer outcome for the relevant property owner and would more accurately reflect actual circumstances.
(iv) Recommendations

The Panel recommends:

Amend the Leneva-Baranduda Development Contributions Plan, as shown in Appendix C, to:

a) revise the Public Land Equalisation Method for Property 25 to recognise that drainage infrastructure and a local network park will take up the entire site.

9.3 Development infrastructure levy rate

(i) The issue

The issue is whether the proposed development infrastructure levy rate calculated through the DCP and specified in DCPO1 is appropriate.

(ii) Evidence and submissions

The Habitat submission for Mr Pietila and Mr Vukasinovic expressed concern about the $208,779 per hectare infrastructure levy rate calculated in the DCP and specified in DCPO1. It added:

A unique factor in the Wodonga market is the location of additional development and growth in Albury. A key consideration for Wodonga should also be remaining competitive, and this includes competitive contribution rates.

Similarly, the submission of Ms Corr, Mr Howell and Ms Coughlan considered that the overall development contributions were significantly higher than existing Wodonga residential estates and double to similar levies in Albury, New South Wales. They were concerned that land would be less competitive and reduce demand.

Mr De Silva gave evidence that the projects and levies in the DCP are comparable to other regional cities. He compared the Leneva-Baranduda DCP contribution (construction cost only) rates with other Victorian regional DCPs and found five others with higher rates. He stated that the form and content of the DCP meets the requirements of Part 3B of the Planning and Environment Act 1987 (the Act).

(iii) Discussion and conclusion

The Panel accepts Mr De Silva’s evidence on this matter. The DCP has appropriately included items in line with the Act and has applied a robust methodology for calculating the development contribution rate. The Panel was not presented with information to support the view that applying the contribution rate would have an adverse economic effect. There is likely to be an adverse impact if a reduced rate meant that essential infrastructure was not provided in the Precinct or costs were transferred to existing ratepayers.

The Panel concludes that the proposed development infrastructure levy rate calculated through the DCP and specified in DCPO1 is appropriate.
10 Other matters

10.1 Document 23 changes

Mr Tobin submitted a comprehensive list of further changes to the PSP, MSS and UGG1 sought by his clients (Document 18). Council agreed to a proportion of the changes (Document 23). Where these changes are referred to earlier in this report, they are not repeated in this chapter.

The Panel has reviewed all the Document 21 requested changes and Council’s response in Document 23. The Panel supports all changes agreed to by Council subject to its further modifications. Council included other changes in Document 23. The Panel supports these changes because they will provide greater clarity and improve the operation of the PSP.

To avoid duplication, they are expressed in the recommendations below.

(i) Recommendations

The Panel recommends:

Amendment Urban Growth Zone Schedule 1, as shown in Appendix B, to:

a) change the first part of Clause 3.0 dot point three to “Where land slopes 5 per cent or greater, subdivision and housing design guidelines must be prepared to the satisfaction of the responsible authority which demonstrate…”

b) change Clause 4.0 to “Prior to certification of a stage of any plan of subdivision for that stage (excluding superlots) must show the land within or abutting that stage affected by the widening of the road reserve for the ultimate design of any relevant intersection.”

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) delete unnecessary references to estate names throughout plans.

b) delete the designation of the future potential school in Plan 2, which is outside the PSP area.

c) replace in the R16 requirement “unless otherwise agreed by” to “to the satisfaction of the”.

d) insert a new performance criteria under Principle 1 to Appendix B: “Develop the Town Centre around a centrally located connector road to create a main street environment”.

e) replace the R41 requirement with:

An urban design framework of the Baranduda Town Centre must be prepared to the satisfaction of the responsible authority, prior to the issue of a permit for any part of the Baranduda Town Centre. The Urban Design Framework must:
- Address the principles on Appendix B
- Provide for the mix of uses and civic facilities shown in figure 5 and table 4
A permit granted must be generally in accordance with the approved Urban Design Framework.

f) change the R49 requirement to “Residential subdivisions must deliver a broad range of lot sizes in appropriate locations capable of accommodating a variety of housing types and facilitate affordable housing.”

g) change the G35 guideline to change “residential subdivision” to “development”.

h) change the R68 requirement to “Development sequencing will be determined by the ability to appropriately access and service land. Within this context, the following must be achieved unless otherwise approved by the responsible authority:...”.

i) change the G53 guideline to amend “Development” to “Buildings and works”.

10.2 Drainage

(i) The issue

The issue is whether the PSP and DCP drainage strategy and proposed infrastructure will appropriately manage drainage and flooding in the Precinct.

(ii) Evidence and submissions

Ms Behrens submitted that stormwater from land on the John Schubert Drive side of Baranduda, particularly the proposed sports field, would be directed into a stormwater pipe draining onto her property.

Mr Bishop stated that the proposed drainage infrastructure would mitigate the impacts of urbanisation on:

• peak one per cent AEP design flows and smaller flood peak flows
• water quality in Middle Creek and N1 Tributary.

Council responded that it “is satisfied that the drainage strategy and infrastructure as translated into the PSP and DCP is sound and will appropriately manage the drainage and flooding of the precinct with its development for urban purposes.”

Mr Tobin submitted (Document 18) that PSP R10 and R11 requirements do not provide flexibility to respond to site constraints and they leave important matters unclear. Accordingly, he sought to append the following to R10:

... except where development is for the provision of roads or other infrastructure to respond to site constraints.

Council did not agree but proposed to change:

• R10 to read:
  Buildings and works other than drainage works must not occur within land identified as Landscape Values in Plans 4 and 5 except for properties 37 and 38 which may each accommodate one additional lot within the Rural Living Applied Zone.
• R11, R12 and R13 to revise 10 per cent to 5 per cent
• Insert the Glossary: Landscape Values means land at or above 240 contour or within the 1 in 100 year flood event.

(iii) Discussion and conclusion
The Panel accepts Mr Bishop’s evidence and agrees with Council’s submission that the PSP and DCP drainage strategy and proposed infrastructure will appropriately manage drainage and flooding in the Precinct. The Panel agrees with Council’s proposed changes to R10, R11, R12, R13 and the new Landscape Values definition.

The Panel concludes that PSP and DCP drainage strategy and proposed infrastructure will appropriately manage drainage and flooding in the Precinct subject to further changes.

(iv) Recommendation
The Panel recommends:

Amend the Leneva-Baranduda Precinct Structure Plan to:

a) change the R10 requirement to “Buildings and works other than drainage works must not occur within land identified as Landscape Values in Plans 4 and 5 except for properties 37 and 38 which may each accommodate one additional lot within the Rural Living Applied Zone.”

b) change the R11, R12 and R13 requirements from 10 per cent to 5 per cent.

10.3 Sunset clause

(i) The issue
The issue is whether a sunset clause should be applied for acquiring or purchasing land.

(ii) Submissions
Mr Williams submitted that it is unfair that there is no time limit for acquiring eight hectares of his land for future educational and recreational uses. He explained that land could be reserved in perpetuity for those purposes without any compensation. Mr Williams referred to Skerdero Pty Ltd v Cardinia SC (2014) VCAT 1334 as a case where the Education Department did not indicate whether it would acquire the land and the owner was unable to develop the land for residential purposes.

Council responded that it did not support a sunset clause or similar because it would be at odds with:

• growth area planning in metropolitan Melbourne and regional Victoria
• how PSPs and UGZ schedules are prepared.

Council submitted that growth area planning is a long-term strategic exercise where plans need to be made from the outset to protect areas required for infrastructure and that:

Sunset provisions have no place or role in such a process.
(iii) Discussion and conclusion

The Panel concludes that a sunset clause is inappropriate and should not be applied for acquiring or purchasing land.
## Appendix A  Document list

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Presented by</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>June 2018</td>
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<td>1A</td>
<td>Post-exhibition changes matrix – PSP, DCP and UGZ1</td>
<td>Council</td>
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<td>12</td>
<td>June 2018</td>
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<td>1B</td>
<td>Part A Submission</td>
<td>Council</td>
</tr>
<tr>
<td>18</td>
<td>June 2018</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Correspondence – Harwood Andrews to NECMA</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>3</td>
<td>Correspondence – NECMA to Harwood Andrews</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>4</td>
<td>email – Maddocks response to Harwood Andrews</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>5</td>
<td>Part B Submission</td>
<td>Council</td>
</tr>
<tr>
<td>6</td>
<td>Attachment 1 – Council response to recommendations of experts for Part B Submission</td>
<td>Council</td>
</tr>
<tr>
<td>7</td>
<td>Expert Witness Statement - Chris De Silva</td>
<td>Council</td>
</tr>
<tr>
<td>8</td>
<td>Children’s service handout (extract from Early Years document)</td>
<td>Council</td>
</tr>
<tr>
<td>9</td>
<td>Extract from Leneva Drainage Strategy (marked up)</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>10</td>
<td>Submission – A and J Williams</td>
<td>Mr O’Farrell</td>
</tr>
<tr>
<td>19</td>
<td>June 2018</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Expert Witness Statement - Deborah Kemp</td>
<td>Council</td>
</tr>
<tr>
<td>12</td>
<td>NECMA correspondence</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>13</td>
<td>Expert Witness Statement - Chris Butler</td>
<td>Council</td>
</tr>
<tr>
<td>14</td>
<td>Expert Witness Statement - Warwick Bishop</td>
<td>Council</td>
</tr>
<tr>
<td>15</td>
<td>Principles for provision of waterway and drainage services for urban growth</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>20</td>
<td>June 2018</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Submission – J Nightingale</td>
<td>J. Nightingale</td>
</tr>
<tr>
<td>17</td>
<td>Submission – Mr Pietila and Mr Vukasinovic</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>18</td>
<td>Summary of changes sought to Amendment C121, PSP and DCP</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>19</td>
<td>NECMA Works on waterways</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>20</td>
<td>VCAT decision P1159/2006</td>
<td>Mr Tobin</td>
</tr>
<tr>
<td>21</td>
<td>Supreme Court decision – [2007] VSC 25 Casey City Council v Carson Simpson Pty Ltd</td>
<td>Mr Tobin</td>
</tr>
<tr>
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<td>Correspondence – Procedural matter</td>
<td>Ms Anderson, Rigby Cooke</td>
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</tr>
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<td>21</td>
<td>Preliminary drafting</td>
<td>Council</td>
</tr>
<tr>
<td>24</td>
<td>Submission – Pares Estate</td>
<td>Mr Aplin</td>
</tr>
<tr>
<td>25</td>
<td>Submission – Pares Estate</td>
<td>Mr Loughnan</td>
</tr>
<tr>
<td>26</td>
<td>Maps</td>
<td>Mr Loughnan</td>
</tr>
<tr>
<td>27</td>
<td>Photos – Pares Estate</td>
<td>Mr Loughnan</td>
</tr>
<tr>
<td>28</td>
<td>Submission - Vitasoy</td>
<td>Ms Butler</td>
</tr>
<tr>
<td>29a</td>
<td>Closing submission</td>
<td>Council</td>
</tr>
<tr>
<td>29b</td>
<td>Maps – Land Use Plan and Infrastructure Plan</td>
<td>Council</td>
</tr>
<tr>
<td>29c</td>
<td>Map – Extract of Figure 8 from Leneva-Baranduda PSP</td>
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<td>30</td>
<td>UGZ1: Council’s post-Panel tracked changes version</td>
<td>Council</td>
</tr>
<tr>
<td>31</td>
<td>PSP: Council’s post-Panel tracked changes version</td>
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<td>32</td>
<td>DCP: Council’s post-Panel tracked changes version</td>
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Appendix B  Panel preferred version of UGZ1

Panel Version of Documents

- Tracked Added
- Tracked Deleted
SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ1.

LENEVA-BARANDUDA PRECINCT STRUCTURE PLAN

1.0 The Plan

Map 1 on the following page shows the future urban structure proposed in the Leneva-Baranduda Precinct Structure Plan. It is a reproduction of Plan 2 in the Incorporated Document, Leneva-Baranduda Precinct Structure Plan.

2.0 Use and development

2.1 The Land

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Map 1 of this schedule and shown as UGZ1 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UG, the provisions of this zone do not apply.

2.2 Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

<table>
<thead>
<tr>
<th>Table 1: Applied zone provisions</th>
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</thead>
<tbody>
<tr>
<td>Arterial road (VicRoads)</td>
</tr>
<tr>
<td>Arterial road (Council)</td>
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<tr>
<td>Connector street - boulevard</td>
</tr>
<tr>
<td>Connector street</td>
</tr>
<tr>
<td>Local town centre</td>
</tr>
<tr>
<td>Wodonga retained environmental</td>
</tr>
<tr>
<td>network (category 3 land within the Leneva Valley and Baranduda Native Vegetation Precinct Plan)</td>
</tr>
<tr>
<td>Future Cemetery/Crematorium</td>
</tr>
<tr>
<td>Property 36 and 38 at plan 3 of the PSP</td>
</tr>
<tr>
<td>All other land</td>
</tr>
</tbody>
</table>

A reference to a planning scheme zone (as shown in table 1) in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The General Residential Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.
Update the plan to show the ‘landscape values’ area to differentiate it from the other residential land.
2.3 Specific provisions – Use of land

The following provisions apply to the use of the land.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling where the applied zone is Rural Living Zone</td>
<td>Must meet the following requirements:</td>
</tr>
<tr>
<td></td>
<td>Only one additional dwelling for lots 36 and 38 identified in plan 3 of the PSP be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must be on a lot created in accordance with the specific provision for subdivision of land in a Landscape Values area at section 2.4 of this clause.</td>
</tr>
<tr>
<td></td>
<td>▪ All building and works must be outside of the Rural Conservation Zone.</td>
</tr>
<tr>
<td></td>
<td>▪ All dwellings must be connected to reticulated potable water supply and a reticulated sewerage system.</td>
</tr>
<tr>
<td>Leisure and Recreation (other than Motor racing track)</td>
<td>A permit is not required to use land for:</td>
</tr>
<tr>
<td>Place of assembly (other than amusement parlour, carnival, cinema, hall, library, nightclub, restricted place of assembly)</td>
<td>▪ Leisure and Recreation (other than Motor racing track);</td>
</tr>
<tr>
<td>Take away food premise where the applied zone is General Residential Zone</td>
<td>▪ Place of assembly (other than Amusement parlour, Carnival, Cinema, Hall, Library, Nightclub, Restricted place of assembly)</td>
</tr>
<tr>
<td></td>
<td>▪ Take away food premise on land shown as Baranduda Sports and Recreation Facility, but which is outside of the 1.5km Green Waste Facility Odour Buffer, in the incorporated Leneva-Baranduda Precinct Structure Plan if the use is generally in accordance with the Baranduda Fields Sports and Recreation Masterplan</td>
</tr>
<tr>
<td></td>
<td>▪ Any use listed in Clause 62.01 Must meet requirements of Clause 62.01.</td>
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</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
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<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following areas for the relevant centre as described in the Leneva-Baranduda Precinct Structure Plan:</td>
</tr>
<tr>
<td></td>
<td>▪ 1,500 square metres for land shown as Leneva Local Centre</td>
</tr>
<tr>
<td></td>
<td>▪ 10,000 square metres for land shown as the Baranduda Town Centre</td>
</tr>
</tbody>
</table>
Accommodation (including dwelling)  | Accommodation, Child care centre, Education Centre and Informal outdoor recreation if the land is within the 100m Concrete Batching Plant Air Emissions Buffer, 500m Landfill Gas Migration Buffer or 1.5km Green Waste Facility Odour Buffer in the incorporated Leneva-Baranduda Precinct Structure Plan.
---|---
Child care centre  | 
Education centre  | 
Informal outdoor recreation  | 
where land is shown as  | 
- 100 metres Concrete Batching Plant Air Emissions Buffer  
- 500 metres Landfill Gas Migration Buffer  
- 1.5km Green Waste Facility Odour Buffer  
in the incorporated Leneva-Baranduda Precinct Structure Plan  

Office where the applied zone is Commercial 1 Zone  | A permit is required to use land for an office for land shown as Baranduda Town Centre and Leneva Local Centre in the incorporated Leneva-Baranduda Precinct Structure Plan if the combined leasable floor area of all offices exceeds:  
- 200 square metres at the Baranduda Town Centre  
- 100 square metres for all other Local and Neighbourhood Activity Centres  
Carparking, loading bays and bicycle provision must be provided to the satisfaction of the responsible authority.

Office where the applied zone is General Residential Zone  | A permit is required to use land for an office on land shown as Baranduda Sports and Recreation Facility in the incorporated Leneva-Baranduda Precinct Structure Plan. Gross floor area of an office must not exceed 100 square metres.

Section 3 – Prohibited

Use

Dwelling where the applied zone is Rural Living Zone – if the Section 1 condition is not met

Industry

Development of future local parks and community facilities

A permit is not required to use or develop land shown in the Leneva-Baranduda Precinct Structure Plan as local park or community facilities provided the use or development is carried out generally in accordance with the Leneva-Baranduda Precinct Structure Plan and with the prior written consent of the Wodonga City Council.
2.4 Specific provisions - Subdivision

A permit to subdivide land must include the following conditions:

- None specified
- Between the date of this permit and the time of transfer of any land identified as category 2 or category 3 conservation reserve land within the Leneva Valley and Baranduda Native Vegetation Precinct Plan (LVBNVPP) that is to be vested in Council the owner must manage, or cause to be managed, that land in accordance with the objectives outlined in the LVBNVPP including the following, as appropriate:
  - Effective exclusion of any development activity or disturbance (such as vehicle or machinery access, earthworks, placement of fill or storage of materials)
  - Work to control exotic flora and fauna
  - Any necessary fire hazard reduction activities.
- Prior to a statement of compliance the owner must fence, in a style approved by the Responsible Authority, any land identified as category 2 or 3 land within the LVBNVPP that is to be vested in Council and provide maintenance access points, at the owners expense prior to their transfer of the land.

Subdivision of land in a Landscape Values area

A permit may be granted for the subdivision of Lot 36 and Lot 38 in the Landscape Values area shown on Plan 3 of the incorporated Leneva-Baranduda Precinct Structure Plan provided the following requirements are met:

- The subdivision must create a maximum of one additional lot per parent lot.
- The owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 with the responsible authority preventing the further subdivision of the land. The agreement must be prepared and registered at no cost to the responsible authority and contain a covenant to be registered on the Certificate of Title of the property so as to run with the land.

2.5 Specific provisions - Buildings and works within the Landfill Gas Migration Buffer

A permit is required for buildings and works within the 500 metre Landfill Gas Migration Buffer shown on Map 1 of this schedule.

A permit is not required for non-intrusive works. Non-intrusive works means the construction of a building or the carrying out of works that do not involve enclosed structures, excavation or significant ground disturbance. They include:

- Alterations to buildings and structures that do not require ground disturbance
- Fencing
- Street and park furniture
- Vehicle crossovers
- Satellite dishes
- Minor signage
- Garden sheds and greenhouses that do not require extensive footings or foundations.

3.0 Application requirements

If in the opinion of the responsible authority an application requirement for “Subdivision” or “Public Infrastructure” is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.
Subdivision – Residential development

In addition to the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the subject land under application and must include:

- A written statement that sets out how the subdivision implements and is consistent with the *Leneva-Baranduda Precinct Structure Plan*
- A land budget table in the same format and methodology as those within the *Leneva-Baranduda Precinct Structure Plan*, setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields
- **Where land slopes 5% or greater** Subdivision and Housing Design Guidelines must be, prepared to the satisfaction of the responsible authority, which demonstrate how the proposal responds to and achieves the objectives and planning and design requirements and guidelines in accordance with the incorporated *Leneva-Baranduda Precinct Structure Plan*, including provisions relating to development on sloping allotments
- The specific built form requirements arising out of the design guidelines prepared as part of the application for subdivision for lots on slopes greater than 5% must be implemented via a restriction on title or any other alternative deemed satisfactory by the responsible authority
- A mobility plan that demonstrates how the local street, road connections and movement network (including open space, pedestrian and cycling access) integrates with adjacent urban development and is capable of integrating with future development on adjacent land parcels
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing
- A site analysis plan which demonstrates the subdivision is designed and oriented to maximise energy efficiency on both flat and sloping land.
- A Transport Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision within 150 metres of the ‘Fire Threat Edge’ as defined in Plan 4 of the *Leneva-Baranduda Precinct Structure Plan*, must be accompanied by an assessment of the classification of vegetation in the *Leneva Valley and Baranduda Native Vegetation Precinct Plan* (LVBNVPP) conservation reserves, in accordance with the Australian Standard AS:3959-2009 (Vegetation Assessment).

The Vegetation Assessment should take into account both existing conditions and anticipated future vegetation conditions as a consequence of the management objectives as set out in the LVBNVPP and any associated conservation management plans.

The Vegetation Assessment must define a defendable space and Bushfire Attack Level regime for land within 150 metres of the ‘Fire Threat Edge’ defined in Plan 4 of the *Leneva-Baranduda Precinct Structure Plan* based on the relevant vegetation classifications.

The Vegetation Assessment must be to the satisfaction of the responsible authority and relevant fire authority.

Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works such as stormwater and drainage
- The effects of the provision of infrastructure on the land or any other land.
▪ The provision, staging and timing of stormwater drainage works
▪ The provision, staging and timing of road works internal and external to the land consistent with any relevant transport plan or assessment
▪ Landscaping of any land and details of public art proposed within open space and activity centres
▪ What, if any, infrastructure set out in the Leneva-Baranduda Development Contributions Plan is sought to be provided as “works in kind” subject to the consent of the Collecting Agency
▪ The provision of public open space and land for any community facilities
▪ Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Applications within the Landfill Gas Migration Buffer

Any application to subdivide land, use land or construct a building or carry out works on land within the 500m Landfill Gas Migration Buffer as shown on Plan 2 of the incorporated Leneva-Baranduda Precinct Structure Plan must be accompanied by a landfill gas risk assessment undertaken by a suitably qualified person in relation to the site, or a section 53V (risk of harm) audit under the Environment Protection Act 1970, at the discretion of the responsible authority in consultation with the Environment Protection Authority. A landfill gas risk assessment should include:

▪ A conceptual site model, based on the characteristics of the landfill and proposal and the likely pathways of gas migration and exposure
▪ Sufficient environmental monitoring from the proposal site to inform the assessment and enable the environmental risks to be characterised (magnitude and likelihood of hazard)
▪ An assessment of the environmental risk posed by the landfill
▪ Site-specific recommendations for further action, including what, if any, mitigation measures are required; and what, if any, further assessment is required (such as monitoring or the need to complete a section 53V Audit).

Applications within the Green Waste Facility Odour Buffer

An application to develop land for a sensitive use (including Accommodation, Child care centre, Pre-school, Primary school, Education centres or Informal outdoor recreation sites) located within the 1.5 kilometre Green Waste Facility Odour Buffer shown on Map 1 of this Schedule and Plan 2 of the incorporated Leneva-Baranduda Precinct Structure Plan must be accompanied by an Odour Environmental Risk Assessment prepared by a suitably qualified person to the satisfaction of the responsible authority, in consultation with the Environment Protection Authority. The Odour Environmental Risk Assessment must be prepared in accordance with the State Environment Protection Policy (Air Quality Management) and assess the potential adverse amenity impacts of the green waste facility on the future proposed sensitive use of the land.

Applications within the Concrete Batching Plant Air Emissions Buffer

An application to develop land for a sensitive use (including Accommodation, Child care centre, Pre-school, Primary school, Education centres or Informal outdoor recreation sites) within the 100 metre Concrete Batching Plant Air Emissions Buffer shown in Map 1 of this schedule and Plan 2 of the incorporated Leneva-Baranduda Precinct Structure Plan must be accompanied by a report prepared by a suitably qualified person that assesses the air quality, noise and amenity impacts arising from the concrete batching plant at 33 Kiewa Valley Highway, Bandiana (including future expansions to the facility), and demonstrates that the site is suitable for development for sensitive land uses.
Note: Notice of an application of the kind listed below must be given in accordance with section 52(1)(c) of the Act to the person or body specified in the Schedule to Clause 66.06:

- An application, on land within the ‘100 metre Concrete Batching Plant Air Emissions Buffer’ on ‘Plan 2 – Future Urban Structure’ in the incorporated Leneva-Baranduda Precinct Structure Plan, where the application is to use land for, or to construct a building to accommodate, any of the following:
  - Accommodation
  - Child care centre
  - Education centre
  - Hospital
  - Medical centre
  - Place of assembly

Transport Impact Assessment

An application that proposes to create or change access to a secondary arterial road must be accompanied by a Transport Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or the Wodonga City Council, as required.

Applications on land containing or abutting a conservation reserve (as identified as Category 3 land within the Leneva Valley and Baranduda Native Vegetation Precinct Plan)

An application to develop land containing or abutting Category 3 land as shown in the LVBNVPP must be accompanied by a plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Interface treatments to the Category 3 Land in accordance with the requirements of the LVBNVPP and Municipal Strategic Statement.
- The retention and removal of vegetation and any re-vegetation.
- The avoidance or minimisation of native vegetation removal for the provision of cycle or pedestrian pathways within the Wodonga Retained Environment Network of Reserves (WREN) and their location.
- Any unreserved Category 3 Land to be vested in Council in accordance with the LVBNVPP including the timing of such vesting.

Applications for use or development of land for a sensitive purpose – Environmental Site Assessment

An application to develop land, including subdivision, defined as an Assessment Level ‘A’ or ‘B’ Property on Map 2 of this schedule for Accommodation, Child care centre, Kindergarten, Primary school or public open space (sensitive use) must be accompanied by a site assessment complying with the Potentially Contaminated Land General Practice Note June 2005, DSE (and as amended).

An application to develop land, including subdivision, for land defined as Assessment Level ‘A’ or Assessment Level ‘B’ must also provide the following information:

- A detailed assessment of potential contaminants on the relevant land;
- Clear advice from an appropriately qualified person on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of
the land is recommended having regard to the *Potentially Contaminated Land General Practice Note* June 2005, DSE (and as amended);

- A detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and

- A recommended remediation actions for any potentially contaminated land – all to the satisfaction of the responsible authority.

If the site assessment recommends an environmental audit, the environmental audit must accompany the application.
4.0 Conditions and requirements for permits

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Leneva-Baranduda Precinct Structure Plan or the LVBNVPP are implemented as part of the planning permit or the plans endorsed under the permit.

Subdivision and housing design guidelines - Slope

An application for subdivision for lots on slopes greater than 45% must demonstrate compliance with the Subdivision and Housing Design Guidelines, with required measures to be implemented via a restriction on title or any other alternative deemed satisfactory by the responsible authority.

Subdivision or buildings and works permits where land is required for community facilities

Land required for community facilities as set out in the Leneva-Baranduda Precinct Structure Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the relevant Development Contribution Plan.

Protection of Category 3 land within the Leneva Valley and Baranduda Native Vegetation Precinct Plan (WREN) during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, within 15 metres of Category 3 Land must include the conditions set out in section 6.2 of the Leneva Valley and Baranduda Native Vegetation Precinct Plan.

Bushfire risk

Before the commencement of works for any stage of subdivision a Site Management Plan that addresses bushfire risk during, and where necessary, after construction must be submitted to and approved by the responsible authority. The plan must specify, amongst other things:

- The staging of development and the likely bushfire risks at each stage.
- An area of land between the development edge and non-urban areas, such as the Wodonga Retained Environment Network, consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed.
- The measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire.
- How appropriate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.
- How the plan complies with any approved Bushfire Management Strategy for environmental lands management.

The requirements of the approved Site Management Plan must be carried out to the satisfaction of the responsible authority.

Use or develop land for a sensitive purpose – Environmental Site Assessment

Before a Statement of Compliance is issued under the Subdivision Act 1988 which allows a subdivision of land which is likely to be used for a sensitive use, the recommendations of the relevant Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.

A planning permit must include conditions or requirements which give effect to any relevant recommendation of the Statement or Certificate of Environmental Audit or Environmental Site Assessment.
Road Network

Any permit for subdivision must contain the following condition:
Prior to the certification of a stage of any plan of subdivision, the plan of subdivision for that stage, must show the land within or abutting that stage affected by the widening of the road reserve for the ultimate design of any relevant adjacent intersection.
Land required for road widening including for intersection must be transferred to or vested in council at no cost to the acquiring agency unless otherwise funded by the relevant Development Contributions Plan.

Precinct Infrastructure Plan

Any permit for subdivision must contain the following condition:
Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner and if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:
- The implementation of the Public Infrastructure Plan approved under this permit.
- The purchase and/or reimbursement by the responsible authority for any provision of public open space in excess of the amount specified in the schedule to Clause 52.01.
- The timing of any payments to be made to the owner having regard to the availability of funds in the open space account.

5.0 Exemption from notice and review

None specified.

6.0 Decision guidelines

- The responsible authority must consider:
  - The Leneva-Baranduda Precinct Structure Plan.
  - Wodonga Retained Environment Network – A threatened species and habitat conservation strategy
  - Leneva Valley and Baranduda Native Vegetation Precinct Plan

7.0 Advertising signs

Advertising sign requirements are at Clause 52.05. All land shown in Map 1 as “Baranduda Sport and Recreation Facility” is in Category 2.
All other land shown in Map 1 is in the category specified in the zone applied to the land at Clause 2.2 of this schedule.
Appendix C  Panel preferred version of DCP

Panel Version of Documents

Tracked Added

Tracked Deleted

Content with no proposed changes has been excluded.
Table 1  Summary of charges

<table>
<thead>
<tr>
<th>CHARGE AREA</th>
<th>TOTAL COST OF CONTRIBUTION</th>
<th>CONTRIBUTION PER NET DEVELOPABLE HECTARE (NDHA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>$116,776,946116,750,734</td>
<td>$208,779212,466</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROJECTS</th>
<th>TOTAL COST OF PROJECTS</th>
<th>CONTRIBUTION PER NET DEVELOPABLE HECTARE (NDHA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport</td>
<td>$55,148,579,542</td>
<td>$98,592100,361</td>
</tr>
<tr>
<td>Recreation</td>
<td>$23,113,423106,033</td>
<td>$41,22342,049</td>
</tr>
<tr>
<td>Community</td>
<td>$12,826,361,008</td>
<td>$22,93223,341</td>
</tr>
<tr>
<td>Drainage</td>
<td>$25,688,484670,151</td>
<td>$45,92746,715</td>
</tr>
<tr>
<td>Total</td>
<td>$116,776,946750,734</td>
<td>$208,779212,466</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROJECTS</th>
<th>TOTAL COST OF PROJECTS</th>
<th>CONTRIBUTION PER NET DEVELOPABLE HECTARE (NDHA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>$7,201,9757,175,763</td>
<td>$12,87613,059</td>
</tr>
<tr>
<td>Construction</td>
<td>$109,574,971109,574,971</td>
<td>$195,903199,407</td>
</tr>
<tr>
<td>Total</td>
<td>$116,776,946750,734</td>
<td>$208,779212,466</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROJECTS</th>
<th>ESTIMATED DWELLINGS</th>
<th>ESTIMATED TOTAL CONTRIBUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capped at $1,150 per dwelling</td>
<td>6,153,045</td>
<td>$7,075,566</td>
</tr>
</tbody>
</table>

### 1.7 Related infrastructure agreements

There are no existing infrastructure agreements that is one s173 Agreement over parcels 24 and 33 however it does not collect funds for any DCP items relate to the Leneva-Baranduda PSP area.
Table 2  Intersection projects

<table>
<thead>
<tr>
<th>DCP PROJECT ID</th>
<th>PROJECT TITLE PROJECT DESCRIPTION</th>
<th>INDICATIVE PROVISION TRIGGER</th>
</tr>
</thead>
<tbody>
<tr>
<td>IN-01</td>
<td>Beechworth-Wodonga Road / Connector road Land for an ultimate 3 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-01c</td>
<td>Beechworth-Wodonga Road / Connector road Construction of an interim 3 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-02</td>
<td>Beechworth-Wodonga Road / Baranduda Boulevard Land for an ultimate 4 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-02c</td>
<td>Beechworth-Wodonga Road / Baranduda Boulevard Construction of an interim/ultimate 4 way roundabout (Beechworth-Wodonga Road interim/ Baranduda Boulevard ultimate)</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-03</td>
<td>Baranduda Boulevard / Frederick Street Road Land for an ultimate 3 way signalised intersection</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-03c</td>
<td>Baranduda Boulevard / Frederick Street Road Construction of an ultimate 3 way signalised intersection</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-04</td>
<td>Baranduda Boulevard / Connector road Land for an ultimate 4 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-04c</td>
<td>Baranduda Boulevard / Connector road Construction of an ultimate 4 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-05</td>
<td>Baranduda Boulevard / Connector road (Baranduda Town Centre) Land for an ultimate 4 way signalised intersection</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-05c</td>
<td>Baranduda Boulevard / Connector road (Baranduda Town Centre) Construction of an ultimate 4 way signalised intersection</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-06</td>
<td>Boyes Road / Connector road Land for an ultimate 4 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-06c</td>
<td>Boyes Road / Connector road Construction of an interim 4 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-07</td>
<td>Boyes Road / Baranduda Boulevard Purchase of land</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-07c</td>
<td>Boyes Road / Baranduda Boulevard Construction of an interim 4 way signalised intersection</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-08c</td>
<td>Boyes Road-John Schubert Drive / Kiewa Valley Highway Construction of an interim/ultimate 4 way signalised intersection (Boyse Road Interim/Kiewa Valley Highway ultimate)</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-09</td>
<td>Kiewa Valley Highway / Connector road Purchase of land for an ultimate 3 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>IN-09c</td>
<td>Kiewa Valley Highway / Connector road Construction of an ultimate 3 way roundabout</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
</tbody>
</table>

Table 3  Road projects

<table>
<thead>
<tr>
<th>DCP PROJECT ID</th>
<th>PROJECT TITLE PROJECT DESCRIPTION</th>
<th>INDICATIVE PROVISION TRIGGER</th>
</tr>
</thead>
<tbody>
<tr>
<td>RD-01c</td>
<td>Baranduda Boulevard Construction of an ultimate 4-lane secondary arterial between the northern edge of the PSP boundary south towards the Baranduda Town Centre. South of the Baranduda Town Centre interim upgrades to the existing road (pedestrian/cycling paths and street lighting)</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>RD-02</td>
<td>Boyes Road Purchase of land that is within the PSP for an ultimate 4-lane secondary arterial</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
<tr>
<td>RD-02c</td>
<td>Boyes Road Construction of an interim secondary arterial (2-lane) inside and outside of the PSP (Note: construction of interim Rd, outside the PSP only includes land within Baranduda Range Estate)</td>
<td>At time of subdivision / access requirement demand, subject to availability of DCP funding</td>
</tr>
</tbody>
</table>
### Table 6  Community facility projects

<table>
<thead>
<tr>
<th>DCP PROJECT ID</th>
<th>PROJECT TITLE</th>
<th>PROJECT DESCRIPTION</th>
<th>INDICATIVE PROVISION TRIGGER</th>
</tr>
</thead>
<tbody>
<tr>
<td>CI-01</td>
<td>Leneva Community Centre</td>
<td>Purchase of land for a level 2 multipurpose community centre</td>
<td>At time of subdivision, as required according to demand levels</td>
</tr>
<tr>
<td>CI-01c</td>
<td>Leneva Community Centre</td>
<td>Construction of a level 2 multipurpose community centre</td>
<td>At time of subdivision, as required according to demand levels and subject to DCP funding</td>
</tr>
<tr>
<td>CI-02</td>
<td>Bears Hill Community Centre</td>
<td>Purchase of land for a level 1 multipurpose community centre</td>
<td>At time of subdivision, as required according to demand levels</td>
</tr>
<tr>
<td>CI-02c</td>
<td>Bears Hill Community Centre</td>
<td>Construction of a level 1 multipurpose community centre</td>
<td>At time of subdivision, as required according to demand levels and subject to DCP funding</td>
</tr>
<tr>
<td>CI-03</td>
<td>Baranduda Community Centre</td>
<td>Purchase of land for a level 2 multipurpose community centre</td>
<td>At time of subdivision, as required according to demand levels</td>
</tr>
<tr>
<td>CI-03c</td>
<td>Baranduda Community Centre</td>
<td>Construction of a level 3 multipurpose community centre including a carpark, civil, landscape and irrigation works and an outdoor area</td>
<td>At time of subdivision, as required according to demand levels and subject to DCP funding</td>
</tr>
<tr>
<td>CI-03p</td>
<td>Baranduda Community Centre</td>
<td>Construction of library (1,760 m2) and a large hall (500 m2) Multipurpose Community Centre</td>
<td>At time of subdivision, as required according to demand levels and subject to DCP funding</td>
</tr>
<tr>
<td>WCL-01</td>
<td>N1 walking and cycling link</td>
<td>Construction of walking and cycling network along the N1 including paths (2.5m wide) and 3 pedestrian/cycling crossings</td>
<td>At time of subdivision, as required according to demand levels and subject to DCP funding</td>
</tr>
</tbody>
</table>

### Table 8  Community Infrastructure Levy projects

<table>
<thead>
<tr>
<th>DCP PROJECT ID</th>
<th>PROJECT TITLE</th>
<th>PROJECT DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR-01p</td>
<td>Leneva Sporting Reserve</td>
<td>Construction of a sports pavilion.</td>
</tr>
<tr>
<td>SR-02p</td>
<td>Bears Hill Sporting Reserve</td>
<td>Construction of a sports pavilion.</td>
</tr>
<tr>
<td>SR-03p</td>
<td>Baranduda Sports and Recreation Facility</td>
<td>Construction of an indoor stadium</td>
</tr>
<tr>
<td>CI-03p</td>
<td>Baranduda Community Centre</td>
<td>Construction of Multipurpose community centre of a library (1,760 m2) and a large hall (500 m2).</td>
</tr>
</tbody>
</table>
Table 9  Summary land use budget

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>PSP HECTARES</th>
<th>% OF TOTAL</th>
<th>% OF NDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL PRECINCT AREA (HA)</td>
<td>1,062.68</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRANSPORT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arterial Road - Existing Road Reserve</td>
<td>35.16</td>
<td>3.31%</td>
<td>6.29%</td>
</tr>
<tr>
<td>Arterial Road - Widening and Intersection Flaring (DCP land)</td>
<td>3.46</td>
<td>0.33%</td>
<td>0.62%</td>
</tr>
<tr>
<td>Non-Arterial Road - Existing Road Reserve</td>
<td>19.07</td>
<td>1.79%</td>
<td>3.41%</td>
</tr>
<tr>
<td>Sub-total Transport</td>
<td>57.69</td>
<td>5.4%</td>
<td>10.31%</td>
</tr>
<tr>
<td>COMMUNITY &amp; EDUCATION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Potential Future Government School</td>
<td>7.00</td>
<td>0.66%</td>
<td>1.25%</td>
</tr>
<tr>
<td>Existing Non-Government School</td>
<td>22.36</td>
<td>2.10%</td>
<td>4.00%</td>
</tr>
<tr>
<td>Local Community Facility (DCP land)</td>
<td>2.71</td>
<td>0.25%</td>
<td>0.48%</td>
</tr>
<tr>
<td>Sub-total Community &amp; Education</td>
<td>32.07</td>
<td>3.0%</td>
<td>5.7%</td>
</tr>
<tr>
<td>OPEN SPACE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UNCREDITED OPEN SPACE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conservation Reserve</td>
<td>7.00</td>
<td>0.66%</td>
<td>1.25%</td>
</tr>
<tr>
<td>Drainage Infrastructure</td>
<td>22.36</td>
<td>2.10%</td>
<td>4.00%</td>
</tr>
<tr>
<td>Redundant Road Reserve</td>
<td>2.71</td>
<td>0.25%</td>
<td>0.48%</td>
</tr>
<tr>
<td>Landscape Values</td>
<td>32.07</td>
<td>3.0%</td>
<td>5.7%</td>
</tr>
<tr>
<td>Sub-total Uncredited Open Space</td>
<td>312.49</td>
<td>29.41%</td>
<td>55.83%</td>
</tr>
<tr>
<td>CREDITED OPEN SPACE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Sports Reserve (DCP land)</td>
<td>12.00</td>
<td>1.1%</td>
<td>2.15%</td>
</tr>
<tr>
<td>Local Network Park (via Cl 52.01)</td>
<td>22.04</td>
<td>2.1%</td>
<td>3.94%</td>
</tr>
<tr>
<td>Sub-total Credited Open Space</td>
<td>34.04</td>
<td>3.2%</td>
<td>6.09%</td>
</tr>
<tr>
<td>REGIONAL OPEN SPACE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regional Sports Reserve Council-Owned Land</td>
<td>66.50</td>
<td>6.3%</td>
<td>11.89%</td>
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<td>Sub-total Regional Open Space</td>
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<td>Utilities Facility</td>
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<td>Sub-total Other</td>
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<td>0.03%</td>
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<td>TOTAL NET DEVELOPABLE AREA (NDA) HA</td>
<td>559.33</td>
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...  

3.2.7 Drainage  

The costing of drainage infrastructure was undertaken by ARUP

...  

3.3.1 Charge areas  

The DCP contains one charge area for the entire PSP shown as the ‘DCP area’ in Plan 1.

...
### Table 10  Calculation of costs – Development Infrastructure Levy

<table>
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<tr>
<th>DCP PROJECT NO.</th>
<th>PROJECT</th>
<th>INFRASTRUCTURE CATEGORY</th>
<th>LAND AREA (HA)</th>
<th>ESTIMATED PROJECT COST: LAND</th>
<th>ESTIMATED PROJECT COST: CONSTRUCTION</th>
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<th>TOTAL COST RECOVERED BY DCP</th>
<th>RESIDENTIAL CONTRIBUTION PER NDHA</th>
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<tr>
<td><strong>ROAD PROJECTS</strong></td>
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<tr>
<td>RD-01</td>
<td>Baranduda Boulevard Purchase of land</td>
<td>Development</td>
<td>-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
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<tr>
<td>RD-01c</td>
<td>Baranduda Boulevard Construction of an ultimate 4-lane secondary arterial between the northern edge of the PSP boundary south towards the Baranduda Town Centre. South of the Baranduda Town Centre interim upgrades to the existing road (pedestrian/cycling paths and street lighting)</td>
<td>Development</td>
<td>-</td>
<td>$-</td>
<td>$17,502,000</td>
<td>$17,502,000</td>
<td>$17,502,000</td>
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<td>RD-02</td>
<td>Boyes Road Purchase of land that is within the PSP for an ultimate 4-lane secondary arterial</td>
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<td>0.94</td>
<td>$108,634</td>
<td>$-</td>
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<td>$108,634</td>
<td>$194</td>
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<td>RD-02c</td>
<td>Boyes Road Construction of an interim secondary arterial (2-lane) inside and outside of the PSP (Note: construction of interim Rd, outside the PSP only includes land within Baranduda Range Estate)</td>
<td>Development</td>
<td>-</td>
<td>$-</td>
<td>$8,767,000</td>
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<td>Sub-total road projects</td>
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<td>0.94</td>
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<tr>
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<td>$-</td>
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<td>Beechworth-Wodonga Road / Connector road Construction of an interim 3 way roundabout</td>
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<td>Beechworth-Wodonga Road / Baranduda Boulevard Land for an ultimate 4 way roundabout</td>
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<td>$23,937</td>
<td>$-</td>
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<td>$23,937</td>
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<td>ESTIMATED PROJECT COST: CONSTRUCTION</td>
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<td>TOTAL COST RECOVERED BY/DCP</td>
<td>RESIDENTIAL CONTRIBUTION PER NDHA</td>
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<td>IN-02c</td>
<td>Beechworth-Wodonga Road / Baranduda Boulevard Construction of an interim/ultimate 4 way roundabout (Beechworth-Wodonga Road interim/Baranduda Boulevard ultimate)</td>
<td>Development</td>
<td>-</td>
<td>$-</td>
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<td>$1,156,000</td>
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<td>IN-03</td>
<td>Baranduda Boulevard / Frederick Street Road Land for an ultimate 3 way signalised intersection</td>
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<td>$3,127</td>
<td>$-</td>
<td>$3,127</td>
<td>$3,127</td>
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| IN-03c         | Baranduda Boulevard / Frederick Street Road Construction of an ultimate 3 way signalised intersection | Development              | -              | $-                            | $3,323,000                           | $3,323,000                                       | $3,323,000                  | $5,941                           |
| IN-04          | Baranduda Boulevard / Connector road Land for an ultimate 4 way roundabout | Development              | 0.13           | $22,497                       | $-                                   | $22,497                                           | $22,497                      | $40                              |
| IN-04c         | Baranduda Boulevard / Connector road Construction of an ultimate 4 way roundabout | Development              | -              | $-                            | $1,921,000                           | $1,921,000                                       | $1,921,000                  | $3,434                           |
| IN-05          | Baranduda Boulevard / Connector road (Baranduda Town Centre) Land for an ultimate 4 way signalised intersection | Development              | 0.19           | $24,369                       | $-                                   | $24,369                                           | $24,369                      | $44                              |
| IN-05c         | Baranduda Boulevard / Connector road (Baranduda Town Centre) Construction of an ultimate 4 way roundabout | Development              | -              | $-                            | $3,645,000                           | $3,645,000                                       | $3,645,000                  | $6,517                           |
| IN-06          | Boyes Road / Connector road Land for an ultimate 4 way roundabout | Development              | 1.52           | $175,332                      | $-                                   | $175,332                                         | $175,332                    | $313                             |
| IN-06c         | Boyes Road / Connector road Construction of an interim 4 way roundabout | Development              | -              | $-                            | $3,849,000                           | $3,849,000                                       | $3,849,000                  | $6,881                           |
| IN-07          | Boyes Road / Baranduda Boulevard Purchase of land | Development              | -              | $-                            | $-                                   | $-                                               | $-                          | $-                               |
| IN-07c         | Boyes Road / Baranduda Boulevard Construction of an interim 4 way signalised intersection | Development              | -              | $-                            | $3,862,000                           | $3,862,000                                       | $3,862,000                  | $6,905                           |
### IN-08c
- **Boyes Road-John Schubert Drive / Kiewa Valley Highway**
- **Construction of an interim/ultimate 4 way signalised intersection (Boyes Road interim/Kiewa Valley Highway ultimate)**
- **Development**
  - $- $4,319,000 $4,319,000 $4,319,000 $7,722

### IN-09
- **Kiewa Valley Highway / Connector road**
  - **Purchase of land for an ultimate 3 way roundabout**
  - **Development**
    - 0.15 $17,042 $- $17,042 $17,042 $30

### IN-09c
- **Kiewa Valley Highway / Connector road**
  - **Construction of an ultimate 3 way roundabout**
  - **Development**
    - $- $1,816,000 $1,816,000 $1,816,000 $3,247

**Sub-total intersection projects**
- 2.43 $302,945 $25,653,000 $25,955,945 $25,955,945 $46,405

### BRIDGE PROJECTS
- **BR-01**
  - **Baranduda Boulevard over Middle Creek**
  - **Development**
    - - $- $2,815,000 $2,815,000 $2,815,000 $5,033

**Sub-total bridge projects**
- - $- $2,815,000 $2,815,000 $2,815,000 $5,033

### COMMUNITY FACILITIES
- **CI-01**
  - **Leneva Community Centre Purchase of land for a level 2 multipurpose community centre**
  - **Development**
    - 0.80 $80,005 $- $80,005 $80,005 $143

- **CI-01c**
  - **Leneva Community Centre Construction of a level 2 multipurpose community centre**
  - **Development**
    - - $- $5,294,000 $5,294,000 $5,294,000 $9,465

- **CI-02**
  - **Bears Hill Community Centre Purchase of land for a level 1 multipurpose community centre**
  - **Development**
    - 0.41 $88,851 $- $88,851 $88,851 $159

- **CI-02c**
  - **Bears Hill Community Centre Construction of a level 1 multipurpose community centre**
  - **Development**
    - - $- $3,030,000 $3,030,000 $3,030,000 $5,417

- **CI-03**
  - **Baranduda Community Centre Purchase of land for a level 2 multipurpose community centre**
  - **Development**
    - 1.50 $195,004 $- $195,004 $195,004 $349
CI-03c  Baranduda Community Centre  Construction of a level 3 multipurpose community centre including a carpark, civil, landscape and irrigation works and an outdoor area  Development  -  $-  $4,138,500  $4,138,500  $4,138,500  $7,399

Sub-total community facilities  2.71  $363,861  $12,462,500.00  $12,826,361  $12,826,361  $22,932

### ACTIVE RECREATION RESERVES

<table>
<thead>
<tr>
<th>DCP PROJECT NO.</th>
<th>PROJECT DESCRIPTION</th>
<th>INFRASTRUCTURE CATEGORY</th>
<th>LAND AREA (HA)</th>
<th>ESTIMATED PROJECT COST: LAND</th>
<th>ESTIMATED PROJECT COST: CONSTRUCTION</th>
<th>TOTAL ESTIMATED PROJECT COST: LAND &amp; CONSTRUCTION</th>
<th>TOTAL COST RECOVERED BY DCP</th>
<th>RESIDENTIAL CONTRIBUTION PER NDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR-01</td>
<td>Leneva Sporting Reserve  Purchase of land for a 8ha sporting reserve</td>
<td>Development  8.00</td>
<td>$1,779,103</td>
<td>$-</td>
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<td>$1,779,103</td>
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<td>SR-01c</td>
<td>Leneva Sporting Reserve  Construction of a sporting oval, 4 outdoor netball courts, a playground, associated carparking and landscaping</td>
<td>Development  -</td>
<td>$-</td>
<td>$2,620,000</td>
<td>$2,620,000</td>
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<td>SR-02</td>
<td>Bears Hill Sporting Reserve  Purchase of land for a 4ha sporting reserve</td>
<td>Development  4.00</td>
<td>$918,949</td>
<td>$-</td>
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<td>SR-02c</td>
<td>Bears Hill Sporting Reserve  Construction of two sporting ovals and associated carparking and landscaping</td>
<td>Development  -</td>
<td>$-</td>
<td>$1,810,000</td>
<td>$1,810,000</td>
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Sub-total drainage projects  17.73  $3,728,484  $21,960,000  $25,688,484  70.15  $25,688,484  $45,92246  715  $23,713  715

### SUMMARY

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<th>Description</th>
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<td>Total cost all projects</td>
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<td>Total Development Infrastructure Levy per NDA</td>
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...
## Table 12 Parcel specific land budget

### LENEVA AND BARANDUDA

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<th>Parcel ID</th>
<th>Total Area (Hectares)</th>
<th>Transport</th>
<th>Community and Education</th>
<th>Open Space</th>
<th>Other</th>
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**ROAD RESERVE**

| R1-BARNDUJA BLVD | 39.07 | 16.75 | - | - | - | 0.03 | 0.01 | 22.27 | - | - | - | - | - | - |
| R2-BEECHWORTH- WODONGA RD | 7.91 | 5.67 | - | - | - | - | - | 2.24 | - | - | - | - | - | - |
| R3-ELLIOT LN | 0.48 | - | - | 0.18 | - | - | - | - | - | 0.30 | - | - | - | - | - |
| R4-DRAPERS DR | 2.35 | - | - | 0.16 | - | - | - | - | - | 2.19 | - | - | - | - | - |
| R5-KINCHINGTON RD | 0.52 | - | - | 0.52 | - | - | - | - | - | - | - | - | - | - | - | - |

Wodonga Planning Scheme Amendment C121 | Panel Report | 7 August 2018
## Appendix C  Glossary of terms

<table>
<thead>
<tr>
<th>TERM</th>
<th>DEFINITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activity centre</td>
<td>Provide the focus for services, employment and social interaction. They are where people shop, work, meet, relax and live. Usually well-serviced by public transport, they range in size and intensity of use.</td>
</tr>
<tr>
<td>Affordable housing</td>
<td>As defined under section 3AA “Meaning of affordable housing” (Planning and Environment Act 1987) Well-located housing, appropriate to the needs of a given household, where the cost (whether mortgage repayment or rent) is no more than 30 per cent of that household’s income, particularly if the household is in the lower 40 per cent of the income distribution scale. For housing to be considered affordable, it must be well-located, appropriate to the needs of the household and constructed with a view to minimising household consumption costs.</td>
</tr>
<tr>
<td>Arterial road Category 1 Land</td>
<td>A higher-order road providing for moderate to high volumes at relatively high speeds. Declared arterial roads are identified under the Road Management Act 2004 and managed by the State Government. Land that is identified in the Leneva Valley and Baranduda Native Vegetation Precinct Plan as containing vegetation that may be removed without a permit subject to the conditions and requirements of the native vegetation precinct plan.</td>
</tr>
<tr>
<td>Category 2 Land</td>
<td>Land that is identified in the Leneva Valley and Baranduda Native Vegetation Precinct Plan as containing vegetation that should be retained, but may be removed subject to a planning permit and will require offsets.</td>
</tr>
<tr>
<td>Category 3 land</td>
<td>Refers to areas identified in the Leneva Valley and Baranduda Native Vegetation Precinct Plan to be vested in Council and containing vegetation to be retained and permanently protected to offset native vegetation removed from Category 1 land.</td>
</tr>
<tr>
<td>Co-location</td>
<td>Adjoining land uses to enable complementary programs, activities and services as well as shared use of resources and facilities, for example, the co-location of schools and sporting fields.</td>
</tr>
<tr>
<td>Community facilities</td>
<td>Infrastructure provided by government or non-government organisations for accommodating a range of community support services, programs and activities. This includes facilities for education and learning (e.g. government and non-government schools, universities, adult learning centres); early years (e.g. preschool, maternal and child health, childcare); health and community services (e.g. hospitals, aged care, doctors, dentists, family and youth services, specialist health services); community (e.g. civic centres, libraries, neighbourhood houses); arts and culture (e.g. galleries, museums, performance space); sport, recreation and leisure (e.g. swimming pools); justice (e.g. law courts); voluntary and faith (e.g. places of worship) and emergency services (e.g. police, fire and ambulance stations).</td>
</tr>
<tr>
<td>Connector street</td>
<td>A lower order street providing for low to moderate volumes and moderate speeds linking local streets to the arterial road network and managed by the relevant local council.</td>
</tr>
<tr>
<td>Encumbered land</td>
<td>Land that is constrained for development purposes, including easements for power/transmission lines, sewer, gas, waterways/drainage; retarding basins/wetlands; landfill; conservation, protected vegetation and heritage areas. This land may be used for a range of activities (e.g. walking trails, sports fields) and is not credited. However, regard is taken to the availability of encumbered land when determining the open space requirement. The interface between urban development and an area which presents a permanent potential for fire to impact on a community.</td>
</tr>
<tr>
<td>Fire Threat Edge</td>
<td>The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building faces.</td>
</tr>
<tr>
<td>Gross Developable Area</td>
<td>Total precinct area excluding encumbered land, arterial roads and other roads with four or more lanes.</td>
</tr>
<tr>
<td>High density housing</td>
<td>Housing with an average density of more than 30 dwellings per net developable hectare.</td>
</tr>
<tr>
<td>Housing density (net)</td>
<td>The number of houses divided by net developable area.</td>
</tr>
<tr>
<td>Housing density (gross)</td>
<td>The number of houses divided by gross developable area.</td>
</tr>
<tr>
<td>Infrastructure Design Manual (IDM)</td>
<td>Design manual of standardised engineering and landscape works specifications and is a living document. The IDM documents Council’s requirements for the design and development of Infrastructure that is or will become Council’s Infrastructure and ensures that a minimum design criteria are met in regard to the design and construction of Infrastructure within the Wodonga municipality regardless of whether it is constructed by Council or a developer.</td>
</tr>
<tr>
<td>Linear open space network</td>
<td>Corridors of open space, mainly along waterways that link together forming a network.</td>
</tr>
<tr>
<td>Land use budget table</td>
<td>A table setting out the total precinct area, gross developable area, net developable area and constituent land uses proposed within the precinct.</td>
</tr>
<tr>
<td>Local centre</td>
<td>An activity centre smaller than a neighbourhood activity centre which may include a small limited line supermarket or convenience store of between 599 square metres and 1,500 square metres, plus non-retail uses.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessor unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Lower density housing</td>
<td>Housing with an average density of less than 10 dwellings per net developable hectare</td>
</tr>
<tr>
<td>Main street</td>
<td>A function of an activity centre, where vitality and activity are created by orienting uses towards the street and ensuring that the primary address of all retail stores is the street. This would normally be a connector street rather than an arterial road.</td>
</tr>
<tr>
<td>Medium density housing</td>
<td>Housing with an average density of 18 to 30 dwellings per net developable hectare.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses.</td>
</tr>
<tr>
<td>Native vegetation precinct plan</td>
<td>A plan, as specified in Clause 52.16 of the Wodonga Planning Scheme, relating to native vegetation within a defined area that may form part of the precinct structure plan. Native vegetation precinct plans are incorporated into local planning schemes and listed in the schedule to Clause 52.16. A native vegetation precinct plan can form part of a precinct structure plan.</td>
</tr>
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</table>

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<td>Neighbourhood activity centre</td>
<td>Activity centres that are an important community focal point and have a mix of uses to meet local needs. Accessible to a viable user population by walking, cycling and by local bus services and public transport links to one or more principal or major activity centres. This should be sufficient size to accommodate a supermarket.</td>
</tr>
<tr>
<td>Net developable area</td>
<td>Land within a precinct available for development. This excludes encumbered land, arterial roads, railway corridors, government schools and community facilities and public open space. It includes lots, local streets and connector streets. Net Developable Area may be expressed in terms of hectare units (i.e. NDHa).</td>
</tr>
<tr>
<td>Precinct open space</td>
<td>Open space that is set aside for parks, gardens, linear corridors, conservation bushlands, nature reserves, public squares and community gardens that are made available for passive recreation, play and unstructured physical activity including walking, cycling, hiking, revitalisation, contemplation and enjoying nature.</td>
</tr>
<tr>
<td>Precinct infrastructure plan</td>
<td>Section within the precinct structure plan that defines the priority regional and local infrastructure requirements of future planning and investment by council and government agencies.</td>
</tr>
<tr>
<td>Precinct structure plan</td>
<td>A statutory document that describes how a precinct or series of sites within a growth area will be developed over time. A precinct structure plan sets out the broad environmental, social and economic parameters for the use and development of land within the precinct.</td>
</tr>
<tr>
<td>Principal public transport network</td>
<td>A high-quality public transport network that connects activity centres.</td>
</tr>
<tr>
<td>Public open space</td>
<td>Land that is set aside in the precinct structure plan for public recreation that incorporates active and passive open space.</td>
</tr>
<tr>
<td>Small office home office (SOHO)</td>
<td>A small office, which would usually include a home, where the business is too large to be accommodated within a standard home, perhaps because of parking or storage requirements. Normally employs up to 10 staff.</td>
</tr>
<tr>
<td>Social housing</td>
<td>A type of rental housing that is provided and/or managed by the government or by a not-for-profit organisation. Social housing is an overarching term that covers both public housing and community housing.</td>
</tr>
<tr>
<td>Sensitive response</td>
<td>A design or engineered response that does not significantly contrast with the existing landform.</td>
</tr>
<tr>
<td>Unencumbered</td>
<td>Land that is not constrained by uses required to enable development (including easements for power/ transmission lines, sewer, gas, waterways/drainage: retarding basins/wetlands; landfill; conservation protection vegetation and heritage areas).</td>
</tr>
<tr>
<td>Urban growth zone</td>
<td>Statutory zone that applies to land that has been identified for future urban development. The UGZ has four purposes: (1) to manage transition of non-urban land into urban land; (2) to encourage development of well-planned and well-served new urban communities in accordance with an overall plan; (3) to reduce the number of development approvals needed in areas where an agreed plan is in place; and (4) to safeguard non-urban land from use and development that could prejudice its future urban development.</td>
</tr>
<tr>
<td>Waterway</td>
<td>Rivers, tributaries, drainage lines and an existing route that water travels along.</td>
</tr>
<tr>
<td>Water sensitive urban design</td>
<td>A sustainable water management approach that aims to provide water-quality, flood management and green landscapes. Key principles include minimising water resistant areas; recharging natural groundwater aquifers (where appropriate) by increasing the amount of rain absorbed into the ground; encouraging onsite reuse of rain and incorporation of rain gardens' encouraging onsite treatment to improve water quality and remove pollution, and using temporary rainfall storage (regarding basins/wetlands) to reduce the load on drains.</td>
</tr>
</tbody>
</table>
The Wodonga Retained Environment Network – A Threatened Species and Habitat Conservation Strategy was prepared in 2006 for the Albury-Wodonga Corporation and City of Wodonga. An ecological study across Leneva and Baranduda, the strategy set out a vision for the network of reserves, protected areas and developable land that was the basis for the Leneva Valley and Baranduda Native Vegetation Precinct Plan. The areas reserved in accordance with these two documents are commonly referred to as ‘WREN reserves’.