



# Planning Scheme Amendment Request

115 Trawalla Avenue, Thomastown

*Whittlesea Planning Scheme*

Amendment C257wsea to the Whittlesea Planning Scheme

Application on behalf of Melbourne Water

Date of report: May 2021





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<b>Glossop Quality System</b>			
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<b>Date Issue</b>	<b>December 2016</b>	<b>Revision Date</b>	<b>May 2021 (Rev. 3)</b>

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## 1. Introduction

This planning report has been prepared on behalf of Melbourne Water Corporation (trading as Melbourne Water) and accompanies an application for an amendment to the Whittlesea Planning Scheme.

Melbourne Water is one of the State's 19 water corporations and is owned by the Victorian Government. It provides bulk water and bulk sewerage services to water corporations in the Melbourne metropolitan area and manages rivers, creeks and major drainage systems in the Melbourne, Port Phillip and Westernport regions.

Melbourne Water is the landowner of 115 Trawalla Avenue, Thomastown. Melbourne Water has identified that the land hatched in yellow on the map below (the 'subject site') does not contribute to current or future service delivery outcomes. The subject site comprises part of the property known as 115 Trawalla Avenue, Thomastown.



**Subject site outlined in yellow (Source: Nearmap)**

The subject site is currently developed and comprises an irregularly shaped parcel with an area of 0.419ha. This site contains buildings and facilities associated with Bertocchi Smallgoods, which borders the site to the north east.



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As a public authority and government agency, Melbourne Water has obligations under the *Victorian Government Landholding Policy and Guidelines* (Department of Treasury and Finance, 2015) to not retain land where it does not (inter-alia) '*contribute directly to current or future service delivery outcomes expected of agencies*'.

The subject site does not contribute to current or future service delivery outcomes and has been identified as surplus to Melbourne Water's requirements.

This application proposes to rezone the subject site from Public Use Zone 1 (PUZ1 - Service & Utility) to an Industrial 1 Zone. It is proposed to retain the balance of 115 Trawalla Avenue within the Public Use Zone 1.

The rezoning of the subject land will allow Melbourne Water to dispose of this surplus land in accordance with State Government requirements.

## 2. The Subject Site and Surrounds

### The Subject Site

The subject site forms part of 115 Trawalla Avenue, Thomastown.

The aerial photograph below highlights the portion of land subject to this amendment and its direct interfaces. The land hatched in yellow shows the extent of the subject site, which Bertocchi Smallgoods is seeking to purchase from Melbourne Water.

It is generally located south and west of 67 Trawalla Avenue (outlined in green), which is owned by Bertocchi Smallgoods. The land outlined in blue indicates the extent of land (the remainder of 115 Trawalla Avenue), which will continue to be owned by Melbourne Water following the amendment.



#### Aerial Photograph (Source: Nearmap)

The subject site is irregular in shape and is landlocked between Merri Creek and 67 Trawalla Avenue, with no legal passage currently available from the road network. The subject site has a total area of 0.419 hectares.

The site is partly developed with buildings and hardstand areas for car parking that contribute to the operations of Bertocchi Smallgoods, which is located on the adjacent



land. Council has approved Planning Permit No. 715136, which allowed for the construction of a warehouse on the subject site and 67 Trawalla Avenue.



**Partially constructed warehouse approved by Planning Permit No. 715136, as viewed from the common boundary between the subject site and 67 Trawalla Avenue**

Planning Permit No. 716537 was granted on 20 July 2018 for the removal of the reserve status and removal of drainage and sewerage reserves.

There are sewerage, drainage and carriage way easements registered on the Certificate of Title. The right of carriage through the land to maintain access benefits Melbourne Water.

The land is within an area of Aboriginal cultural heritage sensitivity. A Cultural Heritage Assessment prepared by Biosis for Planning Permit Application No. 715136 confirms that the land has been subject to significant ground disturbance through site levelling and construction of hardstand areas.



**View north along common boundary between the subject site and 67 Trawalla Avenue**





Cadastral Map (Source: [land.vic.gov.au](http://land.vic.gov.au))

### **67 Trawalla Avenue – Bertocchi Smallgoods**

Melbourne Water currently leases the subject site under licence to Bertocchi Smallgoods, which occupies the land adjacent to the subject site (67 Trawalla Avenue). The land at 67 Trawalla Avenue contains a number of industrial buildings that process small goods, predominantly ham and other meats. Bertocchi Smallgoods have the benefit of a planning permit (Planning Permit No. 715136) for this site, which broadly allows the use and development of the land for a warehouse, works and a reduction in the car parking requirements. These operations have been extended to the subject site by Bertocchi Smallgoods which has constructed a number of structures on the land.

Bertocchi Smallgoods now wish to purchase the subject site. This will consolidate all built form associated with their operations and allow the business to operate under the appropriate zone. Bertocchi Smallgoods wish to continue to use the subject site for additional car parking associated with a major redevelopment of the land.

### **Balance of 115 Trawalla Avenue – Melbourne Water land**

The balance of 115 Trawalla Avenue is owned and is intended to remain owned by Melbourne Water. This land is adjacent to the Merri Creek and is used to maintain the creek environment and health.



**Balance of 115 Trawalla Avenue looking east along proposed boundary**

## **The Surrounds**

In its broader context, the subject site is located within an established industrial precinct, bordered by the Merri Creek to the west. Development within this area generally comprises large industrial buildings and hard stand areas for associated car parking and operations. Development is generally built to the boundaries and sites contain little or no vegetation.

Land to the west is predominantly used for commercial uses. These include a substantial amount of bulk retail stores, which are concentrated along Sydney Road. The Metropolitan Ring Road is located just south of the subject site and separates the residential development further to the south. This area consists largely of single storey detached dwellings.

The site's immediate interfaces are described as follows:

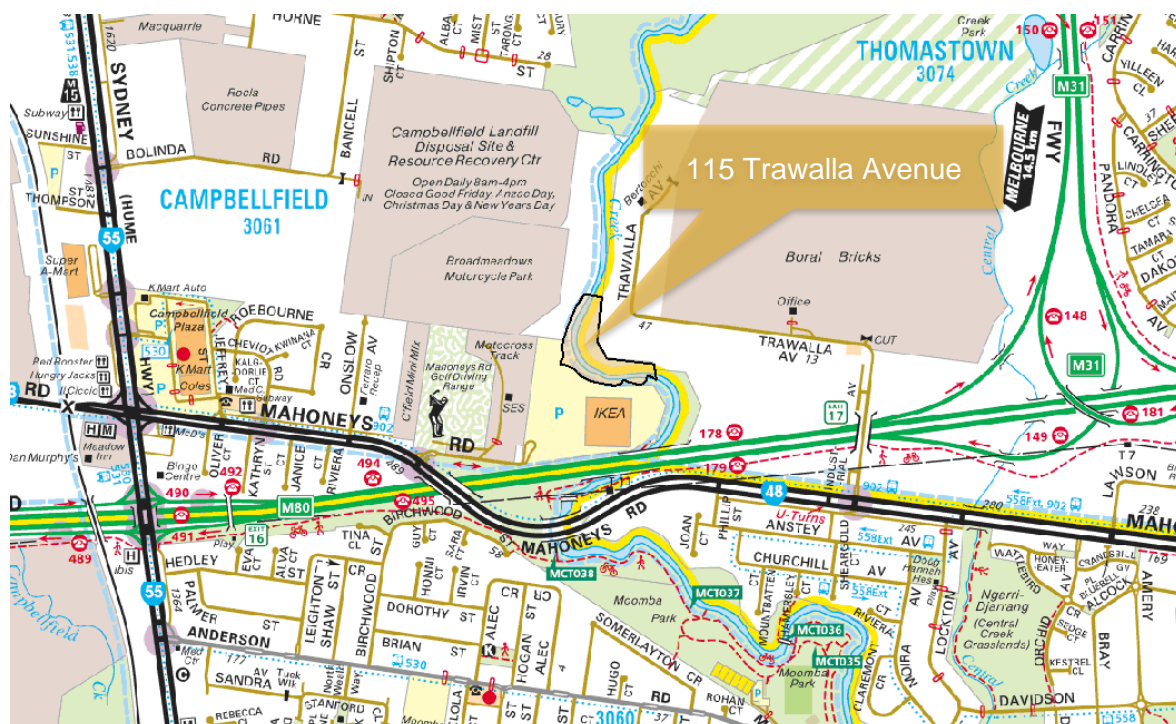
- **North: 117 Trawalla Avenue** follows the path of the Merri Creek as it extends north. The site is partly owned by Melbourne Water and partly owned by Bertocchi Smallgoods. The land is largely covered by vegetation save for a small developed area



in the south-east corner, which forms the part of the land owned by Bertocchi Smallgoods.

- **East: 67 Trawalla Avenue** is occupied by Bertocchi Smallgoods. The site contains a number of large, two storey factories and hard stand areas for associated car parking and operations. Development is generally built to the boundaries and contains little to no vegetation.
- **South and West: 115 Trawalla Avenue** follows the bend of the Merri Creek, which forms the west and south boundaries of the site. The majority of the site is covered by an undeveloped portion of land, which has been cleared of vegetation. Existing development is located towards the boundary of 67 Trawalla Avenue. This development has been undertaken by Bertocchi Smallgoods.

The site's location in its wider context is illustrated on the locality plan below.



Locality Plan (Melway) (Source: [www.land.vic.gov.au](http://www.land.vic.gov.au))

The subject site is close<sup>1</sup> to a number of commercial services, areas of open space and transport options, including:

<sup>1</sup> All distances are approximate and as the crow flies.



- Campbellfield bulk retail stores, including Kmart, Officeworks and Super Amart, located on Sydney Road, located 950 metres to the west;
- Metropolitan Ring Road, located 280 metres to the south;
- Gowrie Train Station, located 1.75 kilometres to the south-west;
- Bus routes 902, 538, 531 and 530, operating along Sydney Road and Mahoneys Road, located 1.1 kilometre to the west;
- Merri Creek Parklands, located 650 metres to the north; and
- Moomba Park Reserve, located 700 metres to the south.



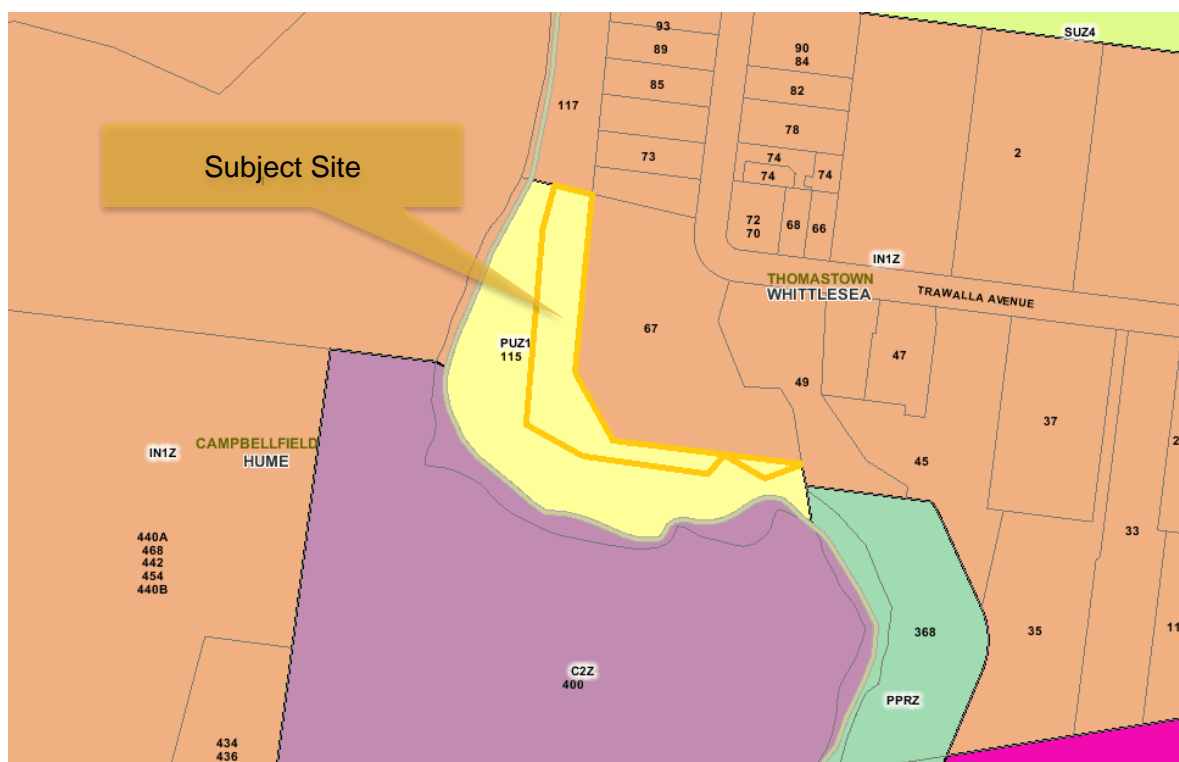
### 3. Current Planning Controls

#### Zone

The subject site is currently zoned Public Use Zone 1 (PUZ1) pursuant to the Whittlesea Planning Scheme. The purpose of the Public Land Use is “service and utility”. The Schedule to the PUZ does not contain any local variations.

The Purpose of the Public Use Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise public land use for public utility and community services and facilities.*
- *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*



**Zoning Map (Source: [www.land.vic.gov.au](http://www.land.vic.gov.au))**

Land surrounding the subject site comprises:

- Industrial 1 Zone (IN1Z) land to the north, east and west;
- Public Use (PUZ1) zoned land to the south and west;

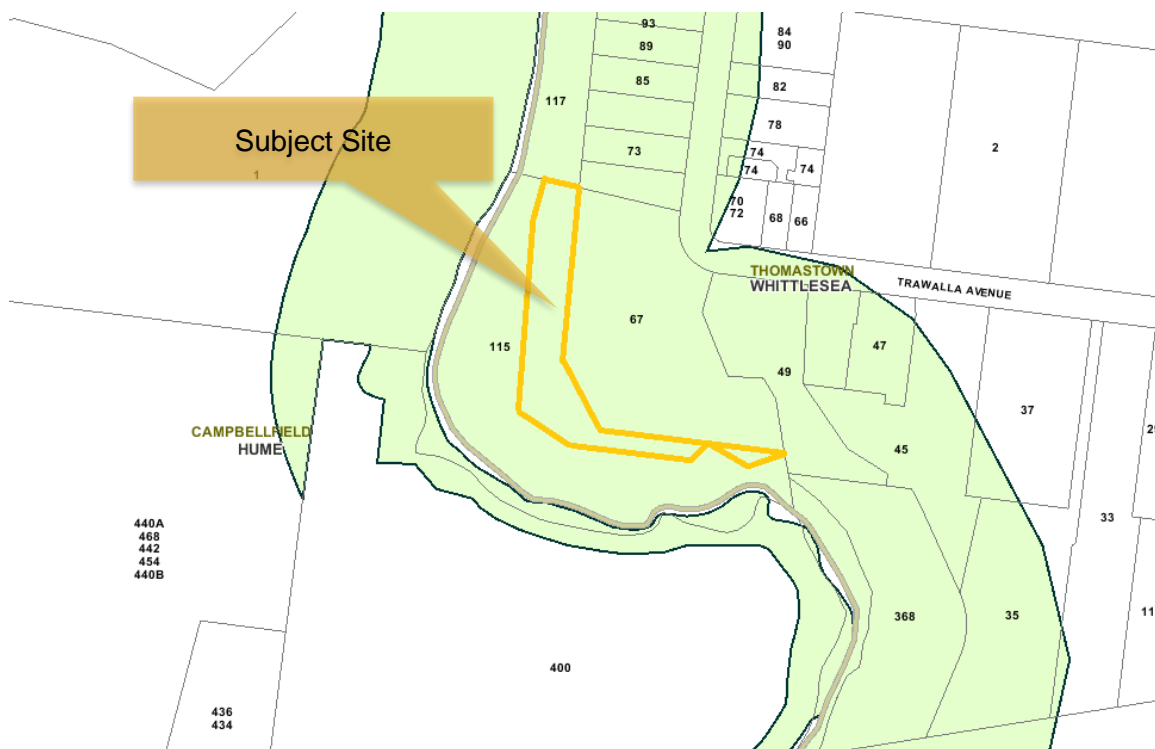


- Commercial 2 Zone (C2Z) land to the south; and
- Public Park and Recreation (PPRZ) zoned land to the east.

## Overlays

### Environmental Significance Overlay

The subject site is located within an Environmental Significance Overlay - Schedule 3 (ESO3).



### Environmental Significance Overlay Map (Source: Planning Maps Online)

The purpose of the ESO3 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

The Statement of Significance for ESO3 is as follows:



*The Merri Creek and its immediate surrounds are host to some of the most threatened ecosystems in Australia. The Creek has a unique role to play in the preservation of threatened flora and fauna and the maintenance of vegetation communities that in other places have almost been totally destroyed.*

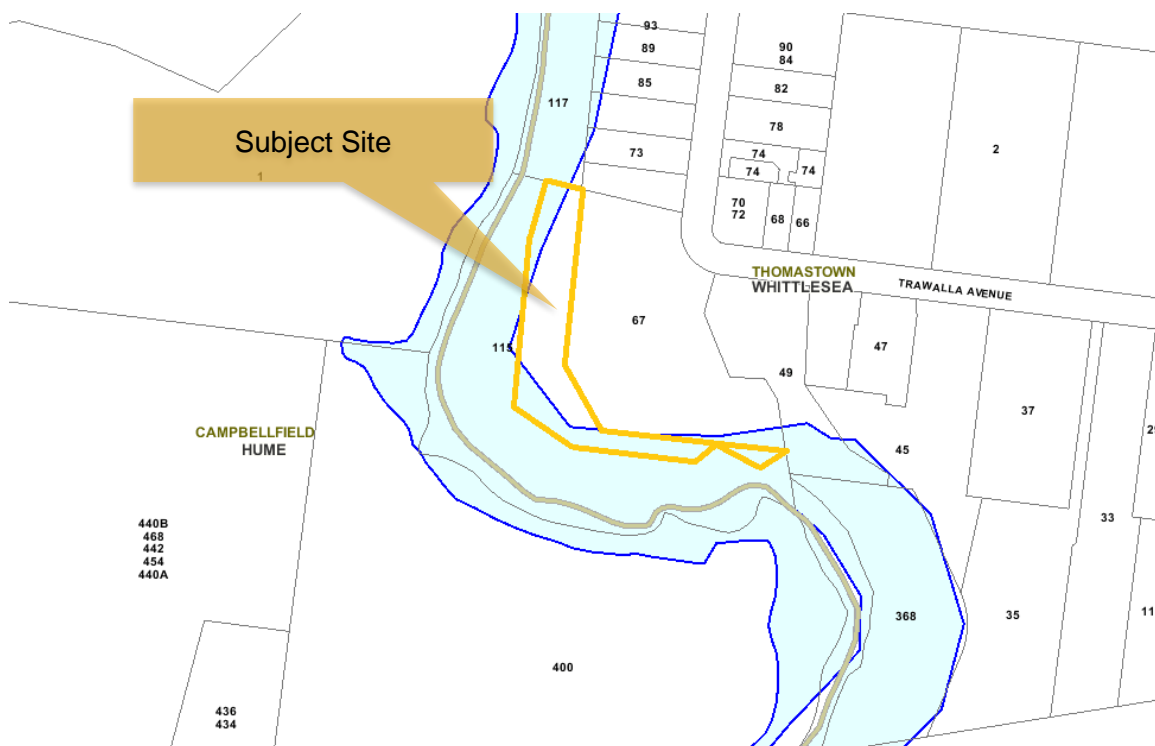
*The Creek is the focus of a large number of pre and post-contact archaeological sites which, as a group are highly significant. Many unknown sites are likely to exist and the areas likely to have the greatest density of these are sensitive to development.*

*Revegetation works and parkland development including path construction have created a linear park of outstanding quality and landscape character – one which plays an important role in the park system of the metropolitan region.*

The ESO triggers a planning permit to subdivide land or to construct a building or construct or carry out works.

#### **Land Subject to Inundation Overlay**

The subject site is partly located within a Land Subject to Inundation Overlay (LSIO).



**Land Subject to Inundation Overlay Map (Source: Planning Maps Online)**



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The purpose of the LSIO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

The LSIO triggers a planning permit to subdivide land or to construct a building or construct or carry out works.





## 4. The Proposed Amendment

The application proposes to amend the Whittlesea Planning Scheme by rezoning the subject site from the Public Use Zone – Schedule 1 to the Industrial 1 Zone.



Cadastral Map Land subject to amendment outlined in yellow

### Why is the Amendment required?

Melbourne Water has determined that the subject site is surplus to its requirements. On this basis, Melbourne Water is required to dispose of the land pursuant to its obligations as a government agency.

It is policy within the *Victorian Government Land Transactions Policy and Guidelines* (Department of Environment, Land, Water and Planning, 2016) that Government agencies:

- *Must not sell (grant a lease or an interest in) any land at a price which is less than the current market (or rental) value of the land as determined by Valuer-General Victoria (VGV);*
- *Must not sell any land without a public process (except through the first right of refusal process outlined in the Victorian Government Landholding Policy and Guideline);*



- *Prior to offering land for sale by a public process, must have in place the most appropriate zoning (and other relevant planning provisions) so that the land can be sold on the basis of its highest and best use.*

A planning permit has been granted by the City of Whittlesea (Planning Permit No. 716537) to remove the public reserve status of the land.

Melbourne Water has approval from the Government Land Monitor to sell the land directly to Bertocchi Smallgoods. The land is inaccessible to third parties (by virtue of its landlocked status) and as a result, it is not required to be offered for sale on the open market.

To facilitate the sale of the land, the land must be rezoned to reflect an appropriate non-public zone. The *Land Transactions Policy and Guidelines* require the land to be rezoned prior to sale to ensure that the land can be sold on the basis of its highest and best use and that it will facilitate the appropriate use and development of the land.

## **Proposed Planning Scheme Changes**

### **Zoning**

The land is proposed to be rezoned to the Industrial 1 Zone.

The purpose of the Industrial 1 Zone is:

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

*To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

The Industrial 1 Zone is applied to land within the surrounding area, including to the Bertocchi Smallgoods land at 67 Trawalla Avenue.

The rezoning of the land to the Industrial 1 Zone will provide an appropriate zone for the current and future use and development of the subject site.

Further analysis is provided in the following section of this report.

### **Overlays**

It is proposed to retain the Environmental Significance Overlay and Land Subject to Inundation Overlay that affect the land.

It is also proposed to apply the Development Contributions Plan Overlay – Schedule 3 (DCPO3) to the land. DCPO3 seeks to levy contributions towards drainage infrastructure. The overlay is applied broadly across the municipality, including to the Bertocchi



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Smallgoods land at 67 Trawalla Avenue. The application of the Development Contributions Plan Overlay to the subject site will allow for a consistent approach to relevant developer contributions across the whole of the Bertocchi Smallgoods land, once the land transaction is complete.



## 5. Is the Amendment Appropriate?

State Government Policy and Guidelines require that land is properly zoned before it can be sold.

The current Public Use Zone (PUZ1) reserves the land for public uses and more specifically for service and utility purposes. Melbourne Water has determined that the land is surplus to its requirements. It follows that the existing PUZ1 is no longer an appropriate zone. According to State Government Policy and Guidelines, the land must be rezoned to achieve the highest and best use and development of the land.

### Strategic Assessment of the Amendment

*Minister's Direction No. 11 Strategic Assessment Guidelines* require a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations. Under *Planning Practice Note No. 46 (DTPLI, July 2014)*, the proposed amendment requires a full assessment against the Strategic Assessment Guidelines.

This assessment is necessary in determining whether the amendment is appropriate.

The full assessment is provided in this Section of the report.

### Why is an Amendment required?

The subject site is currently leased under licence by Bertocchi Smallgoods from Melbourne Water. Several buildings, structures and areas of hardstand have been constructed on the land since the land was leased. Bertocchi Smallgoods has indicated that it wishes to purchase the land from Melbourne Water.

Melbourne Water has determined that the subject site is surplus to its current and future service needs and intends to dispose of the land in accordance with Government policy. A planning permit has been granted to remove the reserve status of the land (716537).

The Government Land Monitor has approved a direct sale of the land to Bertocchi Smallgoods, given that the land is landlocked. Planning permit 716537 provided Melbourne Water with a right of carriage through the land to maintain access.

As required by Government Policy, the most appropriate zoning of the land must be established and put in place before the sale of the land, as it is inappropriate to retain the subject site within a Public Use Zone. To comply with this requirement, an amendment to the Whittlesea Planning Scheme is required.

The proposed rezoning of the land from Public Use Zone 1 to the Industrial 1 Zone reflects the most appropriate use of the subject site.



Overall, the proposed planning scheme amendment will result in an appropriate and orderly planning outcome that facilitates the expansion of the Bertocchi Smallgoods facility, which is a substantial employer in the local area. The proposal will also facilitate rejuvenation works to be undertaken along the waterway to improve the environmental condition.

### **Does the Amendment implement the objectives of planning and address any environmental, social and economic effects?**

#### **Environmental Effects**

The amendment will rezone land that is located adjacent to Merri Creek, which is a sensitive creek environment. Policy settings within the Whittlesea Planning Scheme seek to protect and improve the environmental condition of the creek corridor.

As part of the sale of the land, Bertocchi Smallgoods will be required to undertake landscaping works along the creek corridor, in accordance with the landscape plan shown at **Appendix A**. Bertocchi Smallgoods has also agreed to develop and implement a Weed Management Plan and will consult with the Friends of Merri Creek to develop a planting regime that meets local requirements.

Through these initiatives, it is anticipated that the proposed amendment and sale of the land will improve the environmental condition of the waterway at this location and lead to environmental benefits.

It is not considered that the amendment will lead to an increased flood risk.

#### **Social Effects**

The amendment will facilitate the development of vacant land that has become surplus to Melbourne Water's requirements. The amendment will have positive social effects by allowing an underutilised site to contribute to future employment needs for Bertocchi Smallgoods. No adverse social impacts are anticipated to be generated as a result of the proposed rezoning.

#### **Economic Effects**

The amendment is expected to generate positive economic effects.

Bertocchi Smallgoods is a significant employer in the local and regional context that makes a strong contribution to the local economy. The firm employs over 400 staff and the rezoning and purchase of the land will enable a \$40 million expansion of the business at Trawalla Avenue.



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Both the Department of State Development, Business and Innovation and Bertocchi Smallgoods consider that the expansion will create an additional 80 jobs as part of the first stage, with the potential for a further 120 jobs to be created in later stages.

The amendment will also facilitate the sale of disused and surplus land by Melbourne Water, which will return revenue to the State Government.

For these reasons, the amendment is anticipated to generate positive economic benefits. No adverse economic impacts are anticipated to be generated by the proposal.

### **Does the Amendment address relevant bushfire risk?**

Part of the subject site is within a bushfire prone area, but is not affected by the Bushfire Management Overlay. Because the rezoning will not change the land's condition, an increase in bushfire risk is unlikely. We are advised the land is extensively developed with hardstand areas and firefighting equipment is available on premises.

### **Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?**

This amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

Ministerial Directions No. 9 – Metropolitan Planning Strategy seeks to ensure that planning scheme amendments have regard to Plan Melbourne: Metropolitan Planning Strategy (Department of Transport, Planning and Local Infrastructure, 2014).

Plan Melbourne locates the subject site in the Northern Subregion. One of the core directions within Plan Melbourne is to strengthen the competitiveness of Melbourne's employment land. To facilitate this, Plan Melbourne includes initiatives which seek to provide industrial land in the 'right' locations and provide jobs closer to where people live. Strategically, the site is located almost immediately adjacent to the Western Ring Road and close to the Epping and Broadmeadows Metropolitan Activity Centres. The proposed rezoning will allow the subject site to make a contribution towards the advancement of economic goals set out within Plan Melbourne.

The proposed amendment complies with the Ministerial Direction. No. 9.

Ministerial Direction No. 11 – Strategic Assessment of Amendments seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

A strategic assessment of the proposed amendment has been undertaken in accordance with this Ministerial Direction in this section of this report.



## Does the Amendment support or implement the Planning Policy Framework (PPF)?

The elements of the Planning Policy Framework that are most relevant to the Planning Scheme Amendment relate to settlement planning, environmental and landscape values and industrial land policy.

**Clause 11.01-1R 'Settlement – Metropolitan Melbourne'** provides that planning is to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities. Promote and capitalise on opportunities for urban renewal and infill redevelopment.

Local policy at **Clause 11.01-1L 'Settlement – City of Whittlesea'** seeks to ensure suitable amounts of industrial land are available in appropriate locations. Relevantly, the land is identified as being 'industrial/employment land' on the Municipal Strategic Framework Plan at Clause 02.04 of the Whittlesea Planning Scheme.

The land subject to the Amendment is within an established industrial precinct. The proposed development will facilitate an orderly planning outcome by facilitating the land uses that currently exist on the site, whilst also supporting the area's local industrial economy and facilitating the provision of industrial land in an appropriate location.

**Clause 12 'Environmental and Landscape Values'** seeks to ensure that planning protects sites that have environmental and landscape values.

Particularly, **Clause 12.01-1L 'Protection of biodiversity'** seeks to facilitate the provision of buffers along waterways and between sites of biodiversity value and urban infrastructure. It encourages the revegetation of waterway corridors and seeks to protect habitat areas in creek valleys (among other locations).

**Clause 12.03-1S 'River corridors, waterways, lakes and wetlands'** seeks to protect and enhance river corridors, waterways, lakes and wetlands. It seeks to ensure that development is sensitively designed and sited to maintain and enhance environmental assets and significant views and landscapes along river corridors.

The amendment provides for the ongoing protection of the waterway corridor. The land is affected by an Environmental Significance Overlay which will continue to apply to the land. The proposed landscaping, revegetation and weed management works on the land will protect the waterway buffer and enhance the creek environment.

In terms of industrial land policy, **Clause 17.01-1S 'Diversified economy'** seeks to strengthen and diversify the economy. **Clause 17.01-1L 'Diversified economy'** seeks to



support the allocation of employment growth in Thomastown, Epping, Bundoora and South Morang. It particularly encourages industrial and other employment generating uses in the Thomastown industrial area and seeks to progressively increase the supply of land zoned for employment purposes.

**Clause 17.03-1S 'Industrial land supply'** similarly encourages an adequate supply of industrial land in appropriate locations.

The amendment will meet the direction in policy at Clause 17 by providing for additional supply of land zoned for industrial purposes and locating the new supply in the designated industrial area in Thomastown.

**Clause 71.02 'Operation of the Planning Policy Framework'** seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The proposal supports this goal by applying the most appropriate zone to the subject site and will deliver a net community benefit by fostering industrial services in an area designated for such land uses in order to support the local economy.

### **Does the Amendment support or implement the Municipal Planning Strategy?**

The Municipal Planning Strategy recognises the importance of industry to Whittlesea's local economy.

**Clause 02.01 'Context'** highlights that the City's three highest industry sector employers are manufacturing, retail and trade.

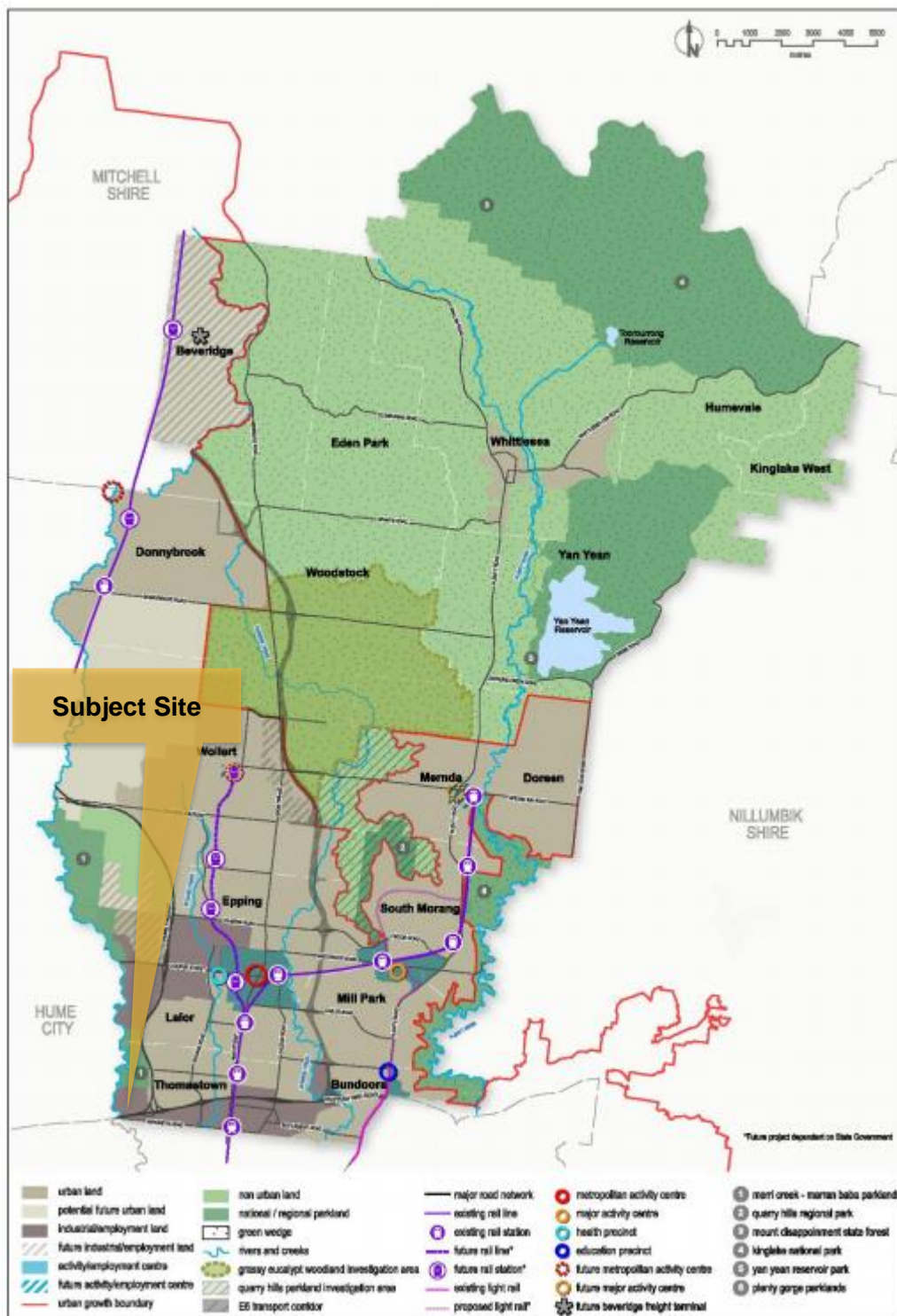
The Vision at **Clause 02.02** seeks to grow the local economy.

This is supported by **Clause 02.03 'Strategic Directions'**, which recognises that the strong manufacturing base is the greatest asset of the local economy. Council aims to plan for employment growth by increasing the choice and location of land available for industry and other employment generating uses and supporting economic activity that is responsive to the investment and employment needs of the community, in a manner that has respect for the environment.

The Strategic Framework Plans at **Clause 02.04** recognise that the land within the amendment area is identified as industrial/employment land.

Relevantly, the Environmental Values plan identifies that the subject site as 'urban land' and doesn't specify any notable environmental significance.





Municipal Framework Plan (subject site identified within 'industrial/employment land')



The amendment is consistent with these aspirations to provide adequate industrial land supply for the local economy.

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

The purpose of the Industrial 1 Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

The subject site adjoins an established heavy industrial precinct that is used for a range of manufacturing, food processing and fabrication land uses. The subject site itself is leased from Melbourne Water and currently used in conjunction with the food processing operations that take place on 67 Trawalla Avenue.

Within this context, the Industrial 1 Zone is the most appropriate tool to facilitate the future use and development of the land, in accordance with its “underlying” zoning.

The application of the Development Contributions Plan Overlay is appropriate to ensure that any future land use and development can make an appropriate contribution (as necessary) to the provision and maintenance of drainage infrastructure.

The application of these controls makes proper use of the VPPs and will not make any existing provisions in the Whittlesea Planning Scheme redundant.

The retention of the existing overlays is an appropriate outcome for the land.

### **How does the Amendment address the views of relevant agencies?**

The amendment has considered the views of Melbourne Water, relevant to its obligations for the land and adjoining land. The amendment is unlikely to affect any other agencies.

### **Does the Amendment address the requirements of the Transport Integration Act 2010?**

The amendment is not envisaged to have a significant effect on the transport system. Vehicle access to the subject site is available from Trawalla Avenue.

### **What impact will the new Amendment have on the resource administrative costs of the responsible authority?**

The proposed amendment will not have any significant impact on the resource and administrative costs of the responsible authority.



## Consultation

In the course of preparing the amendment and for the sale of the land, Melbourne Water has consulted extensively with stakeholders, including:

- Bertocchi Smallgoods (as the owner of adjoining land);
- Whittlesea City Council;
- The Merri Creek Management Committee; and
- The Department of State Development, Business and Innovation (as it was then known, prior to becoming the Department of Jobs, Precincts and Regions).

The Department of State Development, Business and Innovation supports the rezoning of the land for industrial purposes. It considers that the zoning of the land will assist in the expansion of Bertocchi Smallgoods' operations and that the additional land provides an opportunity to increase production and allow the business to grow.

In May 2017, the Whittlesea City Council provided correspondence to the Government Land Planning Service, indicating that Council officers, Parks Victoria and the Merri Creek Management Committee have agreed on a without prejudice basis that the land can be sold in lieu of the compensatory outcomes to be achieved as part of the landscape and rehabilitation plan.

The Whittlesea City Council consents to the rezoning of the land and identified to Melbourne Water that it was comfortable with the rezoning of the land to be approved prior to subdivision of the land and landscaping works being undertaken.

The Merri Creek Management Committee has been consulted throughout the process to date for rezoning the land, as well as through the Council and Tribunal consideration of planning permit matters in respect of the application to remove the reserve status of the land.

Despite the indication in the May 2017 correspondence from the Council, Melbourne Water understands that the Merri Creek Management Committee is opposed the rezoning of the land and its sale.

The Merri Creek Management Committee has provided input into the Landscaping Plan which will be enacted to provide an enhanced condition to the Merri Creek interface.

The consultation as part of this amendment request demonstrates that the local council, Parks Victoria and the Department of Jobs, Precincts and Regions consent to the rezoning of the land.



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While the Merri Creek Management Committee does not agree with the proposed rezoning, its views have been extensively considered in this rezoning request.

Fundamentally, its opposition is based on a desire to restore the buffer zone to Merri Creek to its natural state. This position is at odds with the existing state of the land proposed to be rezoned, given it contains extensive areas of hardstand and buildings, which have been lawfully constructed in accordance with planning permits issued by the City of Whittlesea.

The proposed rezoning of the land will not affect the existing condition of the buffer area.

The proposed landscaping plan has been considered by the Merri Creek Management Committee and it has made suggestions for species selection which are, to some extent, incorporated into the final landscaping plan.

The consultation demonstrates that extensive engagement has been held with all relevant parties. It is appropriate in these circumstances for the amendment to pursue the Government Land Planning Service Stream A pathway for approval.



## 6. Conclusion

The proposed planning scheme amendment is appropriate for the following reasons:

- The subject site is surplus to Melbourne Water's requirements. Having formed this view, Melbourne Water (as a government authority) has obligations under Government policy to dispose of the landholding.
- Given the landlocked status of the land, the purchase of the land by Bertocchi Smallgoods is a sensible outcome that will allow the organisation to undertake a \$40 million transformation of the business, which will lead to employment growth within the region.
- In accordance with policy requirements, the most appropriate zoning for the land must be put in place before the sale of the land. This proposal meets this requirement.
- The Industrial 1 Zone is the most appropriate zone for the land and supports the relevant objectives of the Planning Policy Framework.
- Rezoning the land will allow for the orderly planning of the site, following the issue of Planning Permit No. 16537 for the removal of reserve status of the land.
- The proposal will achieve a net community benefit by facilitating use and development outcomes that make appropriate use of the site, while also protecting the sensitive creek corridor.
- The amendment provides a fair and orderly process for the rezoning of the site.

On the basis of these reasons, the Amendment should be supported.

**GLOSSOP TOWN PLANNING PTY LTD**

**May 2021**



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## Appendix A: Landscape Concept Plan

**PLANT SCHEDULE**

SYM	BOTANICAL NAME	COMMON NAME	HT*	HEIGHT X WIDTH AT MATURITY	MIN SUPPLY SIZE
<b>TREES</b>					
Al	<i>Acacia implexa</i>	Lightwood	I	5-15 x 4-7m	1.2mH
Am	<i>Acacia melanoxylon</i>	Blackwood	I	12-20 x 6-10m	1.2mH
Av	<i>Allocasuarina verticillata</i>	Drooping Sheoak	I	5-10 m x 3-7 m	1.2mH
Ec	<i>Eucalyptus camaldulensis</i>	River Red Gum	I	12-30 x 10-15m	1.2mH
<b>GROUNDCOVERS &amp; GRASSES</b>					
As	<i>Anthropodium strictum</i>	Chocolate Lily	I	0.5 x 0.3m	50mm tube
As	<i>Atriplex semibaccata</i>	Creeping Saltbush	I	0.3 x 1m	50mm tube
Aus	<i>Austrostipa scabra ssp falcata</i>	Rough Spear-grass	I	0.8 x 0.5m	50mm tube
Bb	<i>Bulbine bulbosa</i>	Bulbine Lily	I	0.2-0.5 x 0.3m	50mm tube
Ct	<i>Chloris truncata</i>	Windmill Grass	I	0.2 x 0.3m	50mm tube
Cs	<i>Chryscephalum semipapposum</i>	Clustered Everlasting	I	0.5-8 x 0.5-1m	50mm tube
Dr	<i>Dianella revoluta</i>	Black Anther Flax Lily	I	1 x 1-1.5m	50mm tube
Dc	<i>Dichelachne crinita</i>	Long-hair Plume Grass	I	1 X 0.5m	50mm tube
Kp	<i>Kennedia prostrata</i>	Running Postman	I	0.1 x 2m	50mm tube
Lf	<i>Lomandra filiformis</i>	Wattle Mat-rush	I	0.3 x 0.3m	50mm tube
Ll	<i>Lomandra longifolia</i>	Spiny-headed Mat-rush	I	1 x 1-1.5m	50mm tube
Pm	<i>Poa morrisii</i>	Velvet Tussock Grass	I	0.3 x 0.4m	50mm tube
Pt	<i>Poa tabillardieri</i>	Tussock Grass	I	0.8 x 0.8m	50mm tube
Ps	<i>Poa sieberiana</i>	Grey Tussock Grass	I	0.5 x 0.5m	50mm tube
Rr	<i>Rytidosperma racemosum</i>	Striped Wallaby Grass	I	0.6 x 0.5m	50mm tube
Tt	<i>Themeda triandra</i>	Kangaroo Grass	I	0.6-1 x 0.5m	50mm tube
Ws	<i>Wahlenbergia stricta</i>	Tall Bluebell	I	0.4-0.9 x 0.3-0.4m	50mm tube

Revegetation Area = 2,413 sqm  
 Number of Proposed New Trees = min. 45 Trees (planted 5-10m apart)  
 Number of Proposed New Groundcovers & Grasses = min. 10,000 plants (planted @ 4-6 tubestock per sqm)

\*Indigenous plants selected from 'List of Indigenous Plants found in the City of Whittlesea'  
 All indigenous plant stock to be of local provenance & sourced from an approved indigenous nursery (refer to Notes for further information)

**NOTES**

**Weed Control**  
Refer to the L-MP01 Weed Removal Plan.

**Vegetation Buffer**  
Screening Landscape Buffer is a minimum 10m wide strip of vegetation to the perimeter of the west boundaries of the properties 67 and 71 Trawalla Avenue.

**Rock Bank**  
Voids in the existing rock bank are to be filled with soil and interplanted with groundcovers to minimize pest animal harbour. The soil is to be gently compacted in 150mm layers to minimize settling.

**Pest Animal Management**  
To further minimise pest animal harbour within the existing rock bank, the current pest management contract for the commercial operations at 67 and 71 Trawalla Avenue shall be extended to include a four time annually inspection of the rocks with a view to trapping and baiting if required for identified pests.

**Mulch & Matting**  
Mulch is to be applied to the landscape buffer as a layer of 75mm thick wood-based mulch. Where slope exceeds 1:4 / 25% (shown blue), jute matting is to be installed to stabilize the soil.

**Plant Stock**  
All plant stock must be of local provenance, which includes from middle Merri Creek valley locations and middle catchments of Darebin and Moonee Ponds Creek. Alternative species must be indigenous and must also be appropriate to the design and location. Should a species on the list be unavailable, the contractor is to liaise with the Merri Creek Management Committee to select an alternative that meets the above criteria.

**Planting Density**  
Planting is to be at a density recommended by revegetation experts such as:  
Groundcovers @ 4-6 tubestock per sqm  
Trees are to be planted 5-10m apart and 'clean trunk' to avoid collection of debris during flood events.

**Contractors**  
A reputable contractor who has extensive experience in revegetation must be engaged, such as:  
Ecodynamics  
9336 0012, info@ecodynamics.com.au

**Merri Creek Management Committee - Parkland Management Team**  
9380 8199, admin@mcrc.org.au

**EcoRestore - Michael Neighbour**  
0439 015 534, michael@ecorestore.com.au

**Protection**  
All new trees are to be protected with tall mesh guards (appropriate against Swamp Wallabies).

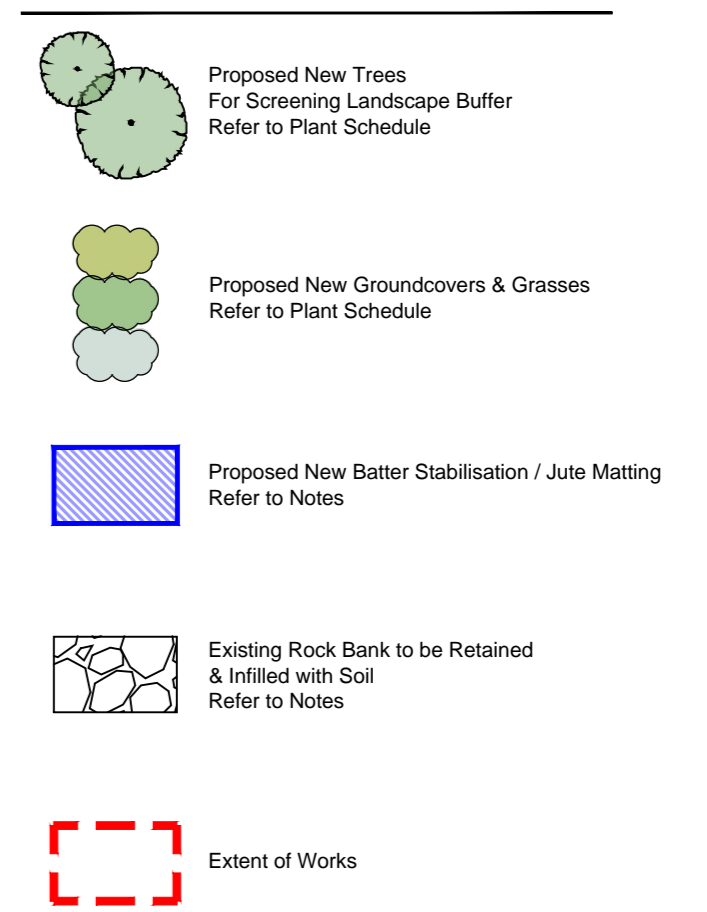
**Maintenance & Establishment Phase**  
Refer to the Maintenance Schedule for the proposed timing of the works. If commencement of works is delayed, each phase is to be shifted forward 2 seasons to achieve the same total period.

Maintenance tasks are to include the following:  
**Rubbish Removal**  
Remove any items of rubbish found in the planted area  
**Tree Stakes**  
Check stability of stakes and remove when the trees in approximately 1 year, or when trunk has developed stability  
**Prune**  
Prune lower branches/ foliage from trees to 1.5m height  
**Weed Removal**  
Remove weeds using Specific Weed Management Measures defined in Weed Management  
**Mulch**  
Top up mulch as required until full coverage by underplanting is achieved  
**Irrigation**  
Irrigation regime is to cover the include two summers, and irrigation to support plant establishment, taking into account rainfall/ drought conditions.

**Exclusion of Shrubs from Proposed Plant List**  
The proposed landscape buffer sits partially within a Land Subject to Inundation Overlay. This identifies land affected by the 1 in 100 flood or any other land identified by the floodplain management authority. Due to this overlay, proposed trees are to be 'clean trunk' and planted 5-10m apart, and only groundcovers/grasses are proposed as underplanting, so as to not impede overland flow, and minimize collection of debris during flood events.

**References**  
List of Indigenous Plants found in the City of Whittlesea

**LEGEND**



**MAINTENANCE SCHEDULE**

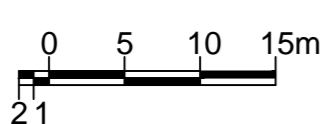
YEAR	SEASON	TASK/ ACTION
2019	Spring	6 month Weed Removal Stage
2020	Autumn (April)	Planting
2020/2021	Summer	Establishment Phase - first inspection*
2021	Autumn (April)	One summer post establishment phase
2021/2022	Summer	Establishment Phase - second inspection*
2022 - 2023	Quarterly visits ending in Spring 2023	On-going maintenance

\*If 80% survival rate isn't achieved at this stage additional investment (e.g. replanting, watering etc) will be needed to achieve this



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**PLEASE NOTE**  
The contractor must verify all dimensions on site before commencing any work or preparing any shop drawings.  
Do not scale off drawings.



**REVISION**  
A To Melbourne Water Request

**DATE** 07.08.2019  
**BY** MGR  
**CLIENT** BERTOCCHI SMALLGOODS P/L  
**PROJECT** MERRI CREEK INTERFACE  
**TRAWALLA AVENUE THOMASTOWN, VIC**

**DRAWING** LANDSCAPE BUFFER MASTER PLAN

**SCALE** 1:500 @A1  
**DATE** AUG 2016  
**DRAWN** MF  
**CHECKED** JP  
**JOB NO** 19-469  
**DWG NO** L-MP02  
**CAD FILE** 19-469 L-MP02



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