

MINUTES OF THE ORDINARY MEETING OF COUNCIL

10 NOVEMBER 2015

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**11.13 AMENDMENT C171 TO THE MELTON PLANNING SCHEME - RETAIL ACTIVITY CENTRES STRATEGY INCORPORATION INTO THE MELTON PLANNING SCHEME****Author: Kate Barclay- Senior Strategic Planner****Presenter: Laura-Jo Mellan- Manager City Design, Strategy & Environment****PURPOSE OF REPORT**

To consider the preparation and exhibition of Amendment C171 to the Melton Planning Scheme to implement recommendations of the Retail and Activity Centres Strategy.

**RECOMMENDATION:**

That Council:

1. Seek authorisation to prepare a Planning Scheme Amendment from the Minister for Planning.
2. Upon receiving authorisation, exhibit the Amendment in accordance with the *Planning and Environment Act 1987*.

Crs Ramsey/Cugliari. That the recommendation be adopted.

CARRIED

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**REPORT****1. Executive Summary**

The Melton Retail and Activity Centre Strategy was adopted by Council at the Ordinary Meeting of 1 April, 2014 (refer **Appendix 1**). The Retail and Activity Centres Strategy makes recommendations on the objectives and strategies that should be incorporated into the Melton Planning Scheme to support the implementation of the adopted Strategy. This requires an Amendment to the Melton Planning Scheme.

The proposed Amendment C171 will amend *Clause 21.01 Snapshot of the City in 2014* and *Clause 22.06 Retailing Policy* to establish a well connected network of activity centres that services the needs of existing and future communities and provide a policy framework for the assessment of retail development proposals across the municipality.

**2. Background/Issues****Melton Retail and Activity Centres Strategy**

Council has a role in shaping development to deliver a network of centres that individually and collectively meets the needs of our residents, businesses and institutions. In this context, Council commenced the preparation of the Melton Retail and Activity Centre Strategy in 2013.

The strategy was undertaken in four stages and included consultation with the community and stakeholders at key stages:

- Stage 1: Project Inception
- Stage 2: Preparation of the Background Technical Report
- Stage 3: Preparation of the Draft Strategy
- Stage 4: Finalisation of Strategy

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Page 42 of 108

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MINUTES OF THE ORDINARY MEETING OF COUNCIL10 NOVEMBER 2015

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The Strategy is underpinned by strong economic, planning and urban design analysis and provides a robust policy framework to guide the future development of activity centres supporting long term integrated land use planning and the delivery of a hierarchy of Retail and Activity Centres across the municipality.

The Strategy provides directions for Council in its planning for centres, a framework for the assessment of development proposals and support for retailing and activity centres throughout the municipality. The preparation of the Strategy was also identified as critical to informing the update of the Municipal Strategic Statement and relevant local policies in the 2012 Planning Scheme Review adopted at the Ordinary Council Meeting 26 July 2012.

The Melton Retail and Activity Centre Strategy was adopted by Council at the Ordinary Meeting of 1 April, 2014 (refer **Appendix 1**).

The Retail and Activity Centres Strategy makes recommendations on the objectives and strategies that should be incorporated into the Melton Planning Scheme to support the implementation of the adopted Strategy. This requires an Amendment to the Melton Planning Scheme.

Following the adoption of the Strategy, Council officers met with representatives from the Department of Environment, Land, Water and Planning (DELWP, formerly DTPLI) and were advised to delay any proposed amendment due to the expected change to the format of the Planning Scheme that was due for release by State government at that time.

The proposed change to the format of the Scheme has not eventuated and given the continued growth and development of the City of Melton, it is recommended that Council commence an appropriate amendment to the Melton Planning Scheme to implement the recommendations of the adopted Strategy to guide future development, particularly within the growth areas, and provide a strong policy framework to assess development proposals in existing and emerging activity centres.

**Amendment C171**

As discussed above, an Amendment to the Melton Planning Scheme is required to implement the objectives and recommendations of the City of Melton Retail and Activity Centres Strategy, March 2014 ('the strategy'). The proposed Amendment C171 will:

- Amend Clause 21.01 Snapshot of the City in 2014 to include the City of Melton's hierarchy of activity centres that identify the existing and future centres in the municipality, based on the metropolitan planning strategy, Plan Melbourne.
- Amend Clause 22.06 Retailing Policy to update the local retailing policy and reflect the hierarchy of activity centres in Clause 21.01 (above) and subsequently update the policy objectives.

The amendment of Clause 22.06 is also required to include relevant application requirements, decision guidelines and reference documents as well as the identification of further strategic work to be undertaken.

It should be noted that the clauses referenced above are based on the current structure of the LPPF and may be subject to change when Council formally seeks authorisation. Further consultation with DELWP will occur prior to Council formally seeking authorisation from the Minister for Planning for Amendment C171 to discuss the format of the proposed amendment documentation.

**Strategic Justification for the Amendment**

In line with the *Strategic Assessment Guidelines for Planning Scheme Amendments* (August 2004), prepared by the State Government, every Planning Scheme Amendment should be strategically supported and maintain or develop the strategic focus of the Planning Scheme.

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MINUTES OF THE ORDINARY MEETING OF COUNCIL

10 NOVEMBER 2015

It is necessary to determine whether any amendment supports or implements the State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF) of the Planning Scheme. Further, Council must determine whether the outcome of the amendment will have any consequences in terms of the Planning Scheme's directions, usability and transparency.

The amendment is consistent with a number of aspects of Clause 11: Settlement of the SPPF:

- Clause 11.01: Activity Centres seeks to establish a well connected network of activity centres that differ in size and function to provide a focus for business, shopping employment, leisure and community facilities. The hierarchy of centres proposed by the strategy provides for a connected network of centres that have differing roles and functions to meet existing and future community needs.
- Clause 11.02: Urban Growth, seeks to ensure that adequate land is available for a range of uses include commercial and retails to support future growth and meeting forecast demand for each land use. The proposed retail and activity centres hierarchy identified in the Strategy is underpinned by detailed analysis that considered future population growth and future demand for retail, commercial and the ancillary uses that would be expected to be accommodated in an activity centre to meet future demand.
- Clause 11.04: Metropolitan Melbourne aims to create healthy and active 20 minute neighbourhoods, and plan for jobs closer to where people live. The Strategy supports this objective through the creation of a hierarchy of centres which are integrated with the existing and proposed transport network to provide access to a range of local employment opportunities.

The amendment is also consistent with Clause 17.01 (Commercial) which seeks commercial development in activity centres and discourages out of centre development and Clause 19.02 (Community Infrastructure), which encourages health, education, social and cultural facilities to integrate in relevant activity centres to achieve co-location opportunities. The Strategy seeks to direct commercial development into activity centres discouraging out-of-centre development and recognises the important role that activity centres have in accommodating community facilities to support future residential communities.

It should be noted that Amendment C171 proposes to update the LPPF to implement the recommendations of the adopted Strategy and reflect the objectives of the SPPF as outlined above.

### **3. Council Plan Reference and Policy Reference**

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City
  - 1.1 *Strategically plan for a well designed and built City*

### **4. Financial Considerations**

Council officer time and resources are involved in the preparation, exhibition and adoption of the amendment and statutory fees are required to be paid by Council as the Responsible Authority which are within Councils recurrent budget.

### **5. Consultation/Public Submissions**

An extensive consultation process was undertaken as part of the development of the Strategy. A project website was set up for the project which was updated at key milestones

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL****10 NOVEMBER 2015**

allowing the community to provide input to the development of the Strategy and to view, download and provide feedback on the Strategy.

The consultation process comprised:

- An interactive online survey which was open for six weeks from 14 March 2013 to 30 April 2013. The survey was advertised in local media, flyers at Council facilities within the City and on the City of Melton website.
- All traders not located within a managed retail centre where hand delivered letters inviting them to attend focus group sessions in April and take part in the online survey. No traders attended the focus group sessions.
- A workshop was held on 24 April 2013 with owners of existing retail centres or land identified for a future activity centre and individual meetings were held with stakeholders as requested.

The Exhibition of Amendment C171 will provide an opportunity for those affected or who have an interest in the proposed amendment to put in a formal submission to the process. Amendment C171 would be on public exhibition for a period of four weeks and notice would be given:

- To land owners and Government bodies, who may be directly affected by the amendment.
- In a local newspaper circulating in the area, on Council's website, and in the Victorian Government Gazette.

Following the Exhibition period, Council officers would review all submissions received and seek to work with submitters to resolve the issues raised. If the submissions cannot be resolved, Council officers would prepare a report to Council recommending that a request be made for an independent Planning Panel to be convened to hear the submissions.

**6. Risk Analysis**

Should Council choose to not initiate this Amendment it will result in the lack of strategic justification and clear direction for Council officers to facilitate appropriate development and determine future planning permit applications existing and future retail and activity centres.

**7. Options**

Council can resolve to either:

1. seek authorisation to prepare and exhibit the Amendment for the prescribed period
2. not proceed with the amendment.

**LIST OF APPENDICES**

1. Retail Strategy