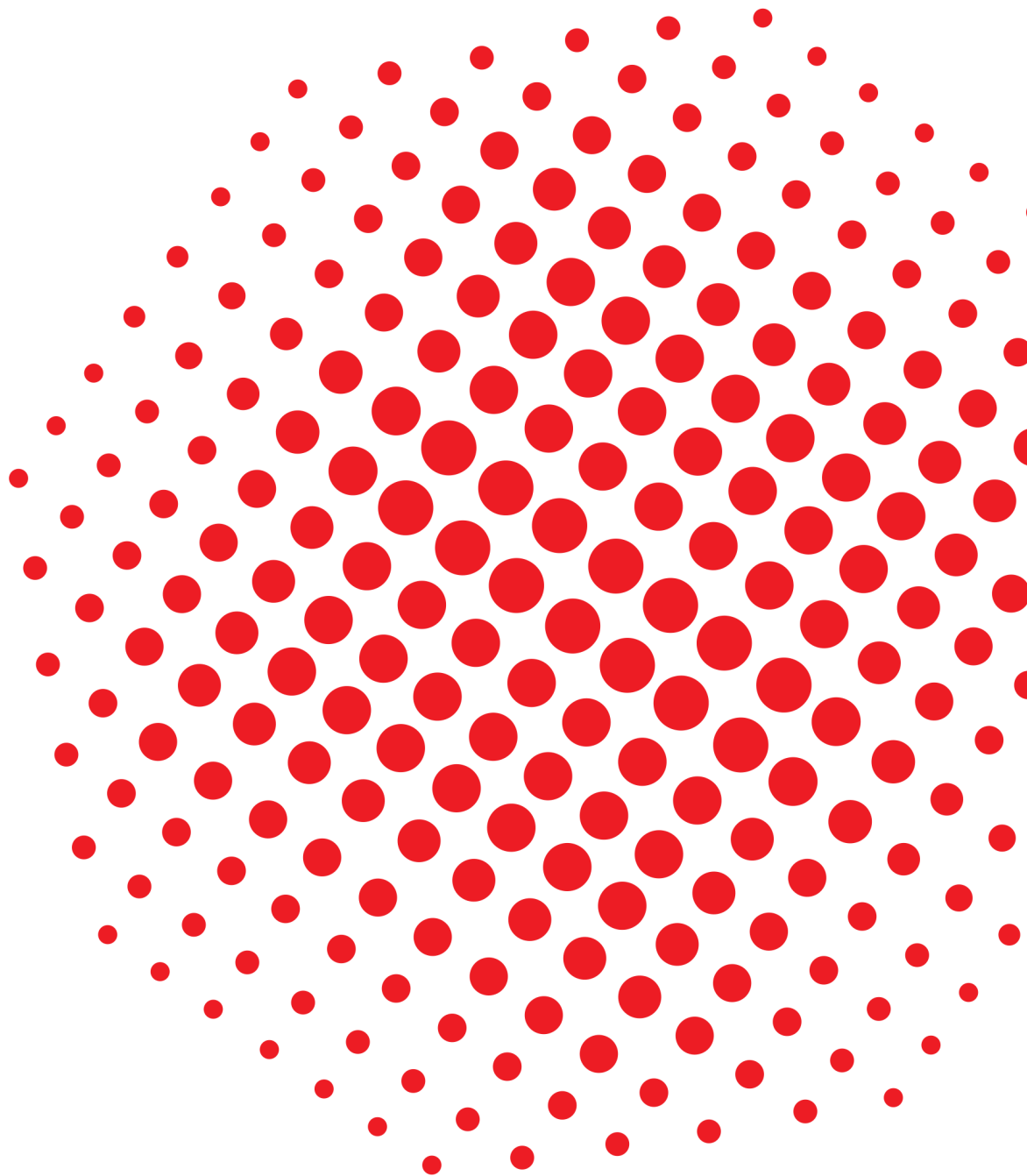


NORTH ROAD, ORMOND

COMPREHENSIVE DEVELOPMENT ZONE

REFERRAL REPORT

AUGUST 2016



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Executive Summary

This Report has been prepared by the Level Crossing Removal Authority (LXRA) in respect of its decision to refer to the Level Crossing Removal Project Integrated Development Opportunities Standing Advisory Committee, a draft amendment to the Glen Eira Planning Scheme which seeks to realise the substantial urban renewal and development opportunities made available by the recent removal of the level crossing at North Road, Ormond.

The site located at North Road, Ormond and bound by North Road, Newham Grove, Katandra Road and No 3 Newham Grove, has been identified by LXRA as providing significant urban renewal potential for a mixed use development proposal.

The draft planning scheme amendment seeks to rezone the subject site to Comprehensive Development Zone - Schedule One and include the *North Road, Ormond, Comprehensive Development Plan* dated August 2016 into the Planning Scheme to govern future use and development of the site. The Schedule to the zone and the Comprehensive Development Plan with its objectives and design principles, building envelope plan and site access plan, will ensure that a transit-orientated development of the site appropriately responds to its unique locational characteristics and opportunities.

The new Comprehensive Development Zone seeks to allow 'as of right' a mixture of retail, residential, commercial and recreational uses, subject to meeting specified conditions and controls, including in relation to the location, scale and size of the use capable of being developed on site. This includes the need to be generally consistent with the building envelope plan in the Comprehensive Development Plan specifying building height and setback requirements over different sections (or precincts) of the site. Uses that fail to meet specified conditions, or development that is not generally consistent with the Comprehensive Development Plan will only be permitted by a planning permit which issues following third party rights of participation and review.

The *North Road, Ormond, Comprehensive Development Plan* will guide development of the site with objectives, design principles and application requirements addressing a wide range of relevant matters including:

- height, massing and urban design
- public realm
- neighbouring interfaces
- land use mix and layout
- transport integration
- landscaping
- environmentally sustainable design
- potentially contaminated land.

The Comprehensive Development Plan also contains a site access plan to guide primary and secondary vehicle access including commuter car parking, parking for retail, residential and commercial uses as well as loading and waste management. Primary pedestrian access to the Ormond station and retail and commercial uses from North Road and Newham Grove are also indicated.

The new zone adopts (as a starting point) car parking rates which are the same as the standard rates contained in clause 52.06. However, a permit may be granted to vary those rates having regard to specified considerations.

All buildings and works will require a permit with detailed application requirements addressing a range of issues. Prior to any permit being granted, the owner will be required to enter into a section 173 agreement with the responsible authority and VicRoads for the provision of specified traffic management measures.

Given the site specific and comprehensive nature of the new zone, development which is generally in consistent with the Comprehensive Development Plan will be exempt from all but specified particular provisions of the Planning Scheme. These relate to public open space, advertising signs, licensed premises and gaming.

The draft planning scheme amendment has been prepared by LXRA after careful consideration, and consultation, on a range of relevant planning, transport, traffic, urban design, social and economic issues. This has included an assessment of state and local planning policy, transport system objectives and principles, and consideration of the views of a specialist urban design advisory panel. The amendment has been informed by an indicative proposal prepared by a consulting private sector developer (Deal Corporation) and by supporting specialist technical reports prepared at its request.

LXRA is satisfied that the draft planning scheme amendment meets its objectives for integrated development proposals and is worthy of referral to the Level Crossing Removal Project Integrated Development Opportunities Standing Advisory Committee for consideration and advice to the Minister for Planning in accordance with the Committee's terms of reference.

1. Introduction

This Report describes the integrated development opportunity arising from the removal of the level crossing at North Road, Ormond, and the draft planning controls that are designed to realise that opportunity.

It sets out the basis upon which LXRA has concluded that the draft planning scheme amendment documentation is appropriate for public exhibition and assessment by the Level Crossing Removal Project Integrated Development Opportunities Standing Advisory Committee (**LXSAC**) pursuant to its Terms of Reference dated 12 November 2015.

This Report is structured as follows:

- Section 2 describes the Level Crossing Removal Program and the core infrastructure works which have been and continue to be undertaken to remove the level crossing at North Road, Ormond.
- Section 3 describes the process by which LXRA has identified the North Road, Ormond site as suitable for a transit-orientated development, and prepared the draft planning scheme amendment.
- Section 4 describes key components of the draft planning scheme amendment and how it responds to and implements key planning policy and transport system objectives and principles.
- Section 5 discusses the role of LXRA and other bodies in the development of a specific proposal for the site to be the subject of a planning permit under the amendment.
- Section 6 contains concluding remarks.

1.1 The Land

The land that is the subject of the draft planning scheme amendment is bound by North Road, Newham Grove, Katandra Road and No 3 Newham Grove, Ormond, and is shown in Figure 1. A small part of the road reserve in Katandra Road is also affected and this boundary aligns with the proposed retaining wall required for the new station and railway cutting.

The land is owned by VicTrack, except for the parcel at 1 Newham Grove which is held privately (this title is marked "1" on Figure 1). The land is predominantly zoned Public Use Zone 4 with a small portion in the north west corner zoned General Residential Zone 1. The whole of the site is also affected by Schedule 2 to the Parking Overlay which relates to 'Student Housing in Specific Areas'.

The site falls within the Ormond Neighbourhood Activity Centre with the Ormond station constituting an important transport node for the Centre. The land covers an area of approximately 1.3 hectares and, apart from its northern boundary, is effectively an island site providing physical separation from existing residential and commercial properties.

2. Level Crossing Removal Program

2.1 Level Crossing Removal Authority

LXRA is an administrative office under the *Public Administration Act 2004* (Vic) in the Department of Economic Development, Jobs, Transport and Resources.

It is responsible for delivering the Level Crossing Removal Program (**Program**) on behalf of the Victorian Government. This program comprises the removal of 50 level crossings, the upgrade or redevelopment of associated train stations (where applicable), and realising integrated development opportunities identified by LXRA as providing improved urban renewal and transit-orientated outcomes for the benefit of the community.

2.2 Overall Program

Melbourne's metropolitan rail network contains over 180 level crossings. Each represents a conflict point between trains and road traffic, resulting in traffic congestion, limiting increased frequency of train services, and presenting a safety hazard to the community.

The Program which will see the removal of 50 of these level crossings, will be undertaken over the next six years and is estimated to cost between \$5-6 billion to complete. The Program includes the removal of 20 level crossings by the end of 2018 and all 50 crossings by the end of 2022. To date four level crossings have been removed at North Road, Ormond, Centre Road, Bentleigh, McKinnon Road, McKinnon and Burke Road, Glen Iris, with a further fifteen under construction.

The benefits of the removing the level crossings are well recognised and include:

- Reducing traffic congestion.
- Facilitating the more efficient, safe, and effective movement of people.
- Providing improved access to services.
- Improving connectivity between Melbourne's suburbs.
- Increasing the number of train services on every line.
- Supporting Victoria's freight industry.
- Increasing public transport use by improving reliability, accessibility and interchanges.
- Providing transit-oriented development and urban-renewal opportunities.

In addition to the removal of 50 level crossings and associated station redevelopments and upgrades, the Program also includes facilitating urban renewal and development opportunities created by level crossing removals including on land above newly submerged stations. Realising these opportunities will lead to further local investment and job creation, improved employment opportunities, reduced reliance on private motor vehicle transport and increased use of public transport. Capitalising on these opportunities also enables a contribution to be made to the delivery of the Program.

2.3 North Road Level Crossing Removal

The level crossing at North Road, Ormond is one of the most recent level crossings to be removed as part of the Program, along with Centre Road, Bentleigh and McKinnon Road, McKinnon, on the Frankston line. While

the level crossing has been removed, works are continuing at this location with the new Ormond station to be open later in August 2016.

The Frankston line is one of the busiest railway line services operating in metropolitan Melbourne. North Road is a busy arterial road carrying over 41,200 vehicles per day including 180 bus services per day, and 3,000 vehicles per hour during peak periods.

Removal of the level crossing at North Road, Ormond involved (and continues to involve):

- Realignment and lowering of the Frankston railway line between Dorothy Avenue to Murray Road.
- Demolition of the Ormond Railway Station and construction of a new host station, access ways and facilities.
- Retention of North Road as a six lane divided road.
- Retention of the Dorothy Avenue underpass.
- New pedestrian crossing across North Road located at the station entrance.
- New bus stops created on North Road at the station entrance.
- Provision for Kiss and Ride facility on Katandra Road.
- Landscaping, including the relocation of the existing palm trees on Katandra Road.
- Construction of footpaths and shared access paths.
- No net loss of car parking spaces across the three level crossing removal sites at North Road, Ormond, Centre Road, Bentleigh, and McKinnon Road, McKinnon.
- Upgrading rail signalling systems.

The removal works are being undertaken pursuant to the *North Road Ormond Level Crossing Project Incorporated Document*, introduced by Amendment GC30 to the Glen Eira Planning Scheme which was gazetted on 23 July 2015.

In addition to the recognised benefits referred to above, specific benefits afforded by removal of the crossing at North Road, Ormond and associated improvements works include:

- Significant public safety benefits with the elimination of railway crossing accident risk.
- Reducing traffic congestion on North Road, and improved pedestrian and road user movements in the local area.
- Improved public amenity and visual appearance.
- Promotion of public transport use.
- Provision of station access that complies with the *Disability Discrimination Act 1992*.
- Reduction of greenhouse gas emissions through reduced congestion and improved access to public transport.

The crossing removal also provides a catalyst for urban renewal and new transit-orientated development above and on land adjacent to the new Ormond station.

3. Identifying Integrated Development Opportunities

3.1 Introduction

One of the goals of the Program is to create and realise transit-oriented development and urban renewal opportunities. While these development opportunities align closely with the objectives and strategies of Plan Melbourne and the State Planning Policy Framework (which are outlined in further detail in section 4), it is also one way for Government to capture the value arising from the Program and to reinvest the net proceeds in transport projects.

Typically, development opportunities can arise where:

- There is public land available in the vicinity of the level crossing.
- Removal of the level crossing enables consolidation of public land into developable lots.
- Removal of the crossing enables utilisation of land over or under the railway corridor.

Public land in this context is generally under the control of VicTrack.

3.2 Integrated Development Opportunities Objectives

However, before proceeding with any proposal for a particular site, LXRA must be satisfied that a development on the site will respond positively to the following considerations and objectives. Development should:

- Be a catalyst for urban economic growth and improved public services in local communities and activity centres.
- Unlock and improve land utilisation and urban amenity in the design of core infrastructure works.
- Arise from level crossing upgrades where it represents a net financial benefit for the State.
- Maximise improved amenity, cost, functionality and timing for commercial and development opportunities.
- Stimulate development in key locations. Design and planning frameworks should ensure this new development complements the existing communities.
- Where appropriate, provide support to the government's broader objectives to support diverse housing, social and community outcomes.

The development as a whole must provide a net return to the State for reinvestment in transport projects, taking into account:

- The additional costs of infrastructure works to facilitate the development.
- The costs of developing the site.
- Prevailing land values and market appetite for the development opportunity.
- Any relevance of the project to the broader Program.

Integration of the development with transport infrastructure must satisfy the requirements of the relevant transport stakeholder.

When assessing potential development opportunities, LXRA takes into account a range of factors to 'test' the suitability of any site or indicative proposal. These factors include:

- Strategic planning and transport system objectives and principles.
- The design of the core infrastructure works, and how readily those works can accommodate an integrated development.
- Any corridor constraints.
- Availability of suitable land, and whether this is in public ownership.
- Market appetite for development at the location.
- Potential for integration with adjacent land use, local context and community needs and benefits.
- High quality urban design outcomes.
- Economic and social impacts.

3.3 North Road, Ormond

In the case of North Road, Ormond, the level crossing removal works that give rise to the integrated development opportunity were procured pursuant to a tender process pursuant to which the John Holland / KBR consortium was awarded the contract to deliver the level crossing removal works.

The John Holland / KBR consortium included details of an integrated development opportunity as part of its tender submission for the North Road Level Crossing Removal Project. This included an indicative development proposal prepared by the consulting private sector developer, Deal Corporation (**DealCorp**). This indicative proposal established the viability of an integrated development at Ormond.

3.4 Role of the Urban Design Advisory Panel

For the package of core infrastructure works that includes the level crossing removal at of North Road, Ormond (Package One), VicRoads established an advisory panel to review urban design outcomes at key stages in the design process. The panel contributed to the design brief in the tender documents and reviewed the proposals submitted by tenderers.

The panel comprises representatives from VicRoads, PTV, VicTrack, the Office of the Victorian Government Architect and the Department of Environment, Land, Water and Planning.

Initial feedback from the panel on the early indicative proposal submitted by DealCorp recommended more detailed analysis to support a development at the scale proposed at this location and to ensure the ongoing viability of the existing activity centre. The panel also noted that a well-considered design response may draw people to the area.

In addition, the panel raised a number of issues to address, each of which have informed ongoing consultation between LXRA and DealCorp and ultimate preparation of the draft planning scheme amendment and the *North Road, Ormond, Comprehensive Development Plan*, August 2016. These issues included:

- Activation of the site along Newham Grove and Katandra Road.
- Integration of public spaces and the station forecourt.
- Circulation through the development should be modelled and movement should be legible and easily accessible.
- Review of the car park floor heights to provide flexibility for potential alternate future use.

- The principles of *Better Apartments – A Discussion Paper* should form the basis for all apartments on the site.

3.5 ‘Pre-Referral’ Assessment by LXRA

LXRA requires each integrated development opportunity to be the subject of comprehensive assessment by LXRA (and if necessary, peer reviewers) prior to it being submitted to the Minister for Planning for referral to the LXSAC.

While the pre-referral assessment process will differ depending on the circumstances surrounding each site, it is likely to involve consultation with a private developer. In the case of the North Road, Ormond this has been DealCorp.

DealCorp has been responsible for preparing materials relating to an indicative concept design for the site which could realise the integrated development opportunity facilitated by the level crossing removal work. This has been undertaken in consultation with LXRA.

During development of the indicative design, LXRA has provided ongoing feedback to DealCorp and its consultants and advisors, providing guidance on the form of an indicative proposal which could be used to inform the draft planning scheme amendment.

The key steps in the assessment process undertaken by LXRA prior to submission of the North Road, Ormond site and draft planning scheme amendment to the Minister for Planning for referral to the LXSAC, can be briefly summarised as follows:

Step One - Submission of draft referral materials to LXRA

The first step was preparation and submission of draft referral materials to LXRA:

- DealCorp initially identified the key built form and land use parameters of a future development on the site. This initial proposal underwent review by Urban Design Advisory Panel, who provided feedback on the proposal and matters warranting further consideration.
- Since the initial feedback and involvement of LXRA in the project, LXRA has been in ongoing consultation with DealCorp on matters relevant to inform preparation of the draft planning scheme amendment. This has included requiring DealCorp to prepare materials relevant to realising the integrated development opportunity, including identifying the key built form and land use parameters of a future development on the site and the preparation of all necessary technical reports to inform an assessment of the draft planning scheme amendment.

Step Two - Preliminary assessment of referral material

The second step comprised preliminary assessment of the referral material by LXRA:

- LXRA undertook an assessment of the draft referral materials submitted by DealCorp.
- As part of that assessment process, LXRA reviewed the draft materials to ensure that they were consistent with the delivery of the level crossing removal works, and its objectives for integrated development opportunities.

- Having completed its assessment, LXRA issued a request for further information to DealCorp identifying matters that would need to be addressed to inform preparation of the draft planning scheme amendment and prior to LXRA requesting referral to the LXSAC.

Step Three - Response to request for further information

The next step comprised DealCorp's response to LXRA's request for further information and ongoing consultation during which LXRA sought more detailed information on specific issues.

The referral materials were subsequently revised and resubmitted to LXRA.

Step Four - Review and acceptance of revised referral material

The next and final step, prior to submission of the draft planning scheme amendment to the Minister for Planning is acceptance of the referral materials by LXRA as suitable for referral together with a draft planning scheme amendment prepared by LXRA.

The technical reports submitted by DealCorp and accepted by LXRA as being suitable for exhibition with the draft planning scheme amendment comprise expert reports in the areas of urban design, traffic and transport, planning and economic impacts.

3.6 Specialist Technical Reports

The above actions have been taken to ensure that the draft amendment and associated materials are in a form that LXRA is satisfied is appropriate for public exhibition and assessment by the LXSAC. As part of the assessment and consultation process, LXRA has required that DealCorp provide the following documents that are being presented for public exhibition and assessment:

Planning Report

The report prepared by SJB Planning (*North Road, Ormond Development - Amendment Assessment Report, August 2016*):

- Presents the subject site in the context of the surrounding area;
- Reviews existing planning controls;
- Sets out the provisions of the proposed planning scheme amendment; and
- Evaluates the draft amendment against strategic and statutory planning considerations and the effects of the amendment.

The report states that the draft planning scheme amendment appropriately addresses the relevant state and local planning policies. It comments that the provisions of the Comprehensive Development Zone - Schedule 1 and Comprehensive Development Plan strike an appropriate balance between respecting the character of the surrounding area, accommodating growth and contributing to an appealing urban environment.

The report states that the mixed use of any future development will help create a demand for services, consolidate the Centre's function as a community hub and provide easy access to public transport. When considering the potential economic, social and environmental benefits presented by the proposed integrated development opportunity, the report concludes that the draft planning scheme amendment is worthy of approval under the *Planning and Environment Act 1987*.

Transport Study

GTA Consultants prepared a Transport Impact Assessment of the integrated development opportunity (*Ormond Station Urban Renewal Opportunity - Transport Impact Assessment, 5 August 2016*) that undertook analysis and consideration of an indicative development proposal with regard to:

- Appropriate car and bicycle parking arrangements;
- Loading and waste collection arrangements;
- Potential traffic impacts of the development proposal; and
- Road works and vehicle access strategies to mitigate potential adverse impacts.

The assessment concludes that the location of the development opportunity, and its integration with public transport, means that consideration should be given to providing car parking at less than standard minimum rates specified in 52.06.

The report states that the traffic impact on surrounding roads associated with the indicative proposal could be mitigated by widening Katandra Road and providing traffic signals at the intersection of North and Katandra Roads. These road infrastructure improvements would ensure that the safety and function of the surrounding road network would not be compromised.

Economic Study

An economic report was prepared by Deepend Services (*North Road, Ormond, Level Crossing Removal - Retail Need and Economic Impact Assessment, 5 August 2016*) that assesses the need for and economic impact resulting from the retail components of an indicative proposal, including analysis and consideration of:

- Existing economic activity;
- Relevant retail policy; and
- Impacts of the proposal on economic activity.

The Needs and Economic Impact Assessment (NEIA) assesses the impact of an indicative development concept for the subject land comprised of the 'as of right' land uses nominated under the new zone (described within the NEIA as the "Indicative Project").

The NEIA demonstrates that the introduction of this level of additional retail floor space would enhance the function and operation of the Ormond Neighbourhood Activity Centre (providing improved local retail facilities, promoting shorter car-based trips, and concentrating retail activities in and around the established retail precinct) while giving rise to relatively marginal one-off sales impacts on competing (full-line supermarket based) activity centre retailers within the catchment area (at or around -6% in respect of the Glen Huntly and Bentleigh Activity Centres and a lesser amount in respect of existing retailers within Ormond). LXRA notes that this is well within accepted benchmarks.

Other benefits assessed include, short-term jobs from construction, development of an under-utilised site, contribution to improved amenity with the concurrent removal of the level crossing and the ability to combine train travel with retail shopping. The NEIA concludes that the relatively minor one-off sales impacts to competing retailers in other centres were more than offset by positive benefits, such that the indicative development would deliver a substantial positive net community benefit.

Urban Design Study

The Urban Context Report by David Lock and Associates (*North Road, Ormond Development - Urban Context Report, July 2016*) sets out:

- Analysis and consideration of the existing character and condition of the neighbourhood;
- Opportunities and constraints of the site;
- The physical and policy context in relation to:
 - Character;
 - Public realm interface;
 - Neighbouring interfaces; and
- Design principles to inform the development of the site.

The report identifies that the site is large, benefits from good public transport and arterial road accessibility and has a lack of abutting sensitive uses. However, any development needs to respond to the different characters of North Road, Katandra Road and Newham Grove and relevant policies require new development to respect the character of the surrounding area and also support increased housing density. To respond to these requirements, the report sets out design principles that:

- Identify how development on the site should contribute to the quality of the public realm;
- Respond appropriately to neighbouring properties to maintain amenity and minimise overshadowing; and
- Strike an appropriate balance between respecting the existing character surrounding the site, accommodating growth and contributing to a legible and appealing urban environment.

4. Draft Planning Scheme Amendment

The first part of this section describes key components of the draft planning scheme amendment that will facilitate implementation of the integrated development opportunity as part of the Program. The second part describes how the draft amendment responds to and implements key planning and transport system objectives and principles.

4.1 Proposed Planning Controls

The Victoria Planning Provisions contain a number of planning controls that could facilitate the delivery of integrated development opportunities in association with the delivery of transport infrastructure and use.

LXRA has chosen to proceed with a model that uses the Comprehensive Development Zone (CDZ) in clause 37.02 of the Planning Scheme along with a site specific Comprehensive Development Plan (CDP) to be incorporated within the Scheme.

This model has been developed with a view to establishing a standard approach that could be adopted for integrated development opportunities at other level crossing removal sites. The CDZ and associated comprehensive development plan can provide clear direction concerning the range of land use and development outcomes that may be appropriate for the site, and can appropriately regulate third party notice and review.

The Comprehensive Development Zone also allows for transport uses, and buildings and works associated with transport uses, to remain as of right. The transport function of the site therefore won't be impeded by the application of a new control over the land.

4.2 The Proposed Amendment: The North Road, Ormond Comprehensive Development Zone

The draft amendment seeks to rezone land to facilitate urban renewal, made possible through the removal of the level crossing at North Road, Ormond and the associated station redevelopment. The amendment will operate with the North Road Ormond Level Crossing Removal Project Incorporated Document to allow for effective integration of the level crossing removal and station redevelopment with a new range of residential, commercial and retail uses.

The key elements of the draft planning scheme amendment that is the subject of this referral are:

- The rezoning of the subject land which comprises Ormond Railway Station and associated land;
- The introduction of the CDZ in clause 37.02 and Schedule 1 to the CDZ (relating specifically to the North Road, Ormond site);
- The incorporation of the *North Road Ormond, Comprehensive Development Plan* August 2016 (CDP) as an incorporated document under clause 81.01;
- The nomination of the Minister for Planning as the responsible authority under clause 61.01 in respect of the new planning controls; and
- Associated changes to the Local Planning Policy Framework at clauses 21.04, 21.06 and 22.07 to explicitly recognise the strategic rationale underpinning the proposed CDZ and CDP.

The CDP is a document specifically drafted to respond to the unique nature of the site. It includes a building envelope plan, a site access plan, and comprehensive objectives, design principles and application requirements.

The technical reports prepared by consultants of DealCorp accompany the draft planning controls. These reports have informed the preparation of the draft planning scheme amendment and provide a means of assessing the nature of the integrated development opportunity at North Road, Ormond, and the terms of the proposed amendment. The draft planning scheme amendment is supported by the conclusions of the expert reports concerning future land use and development outcomes on the land.

4.3 Discussion of proposed planning controls

Uses

The table of uses in Schedule 1 of the CDZ is based, in part, on a range of uses that are consistent with the Commercial 1 Zone along North Road. Conditions relating to the location of uses and floor area caps have been informed by the DealCorp indicative proposal and the assessment of transport impacts. A balance has been sought between providing sufficient flexibility at this early stage of the development process, with the need for certainty of the potential impacts and particularly with respect to traffic.

Car Parking Provision

The car parking provisions in Schedule 1 of the CDZ adopt (as a starting point) rates which are the same as the standard rates contained in clause 52.06.

As a transit oriented development, there is an expectation that there will be less demand for parking and that a reduction in the standard rates may be warranted. However, any reduction will need to be the subject of separate planning permission having regard to relevant factors including provision of commuter parking, availability of public transport, empirical analysis, short term and long term parking demand, design constraints and other relevant considerations.

Traffic Mitigation

Prior to any permit being granted, the Comprehensive Development Zone requires that the owner must enter into a section 173 agreement with the responsible authority and VicRoads for the provision of traffic management measures, either in accordance with the signalised intersection concept layout plan prepared by GTA Consultants, or otherwise to the satisfaction of the responsible authority and VicRoads. This will mitigate the traffic impacts associated with a development of the site.

Permit for buildings and works

A permit is required for buildings and works with the exception of specified matters, which matters are largely the same exemptions that apply in the neighbouring Commercial 1 Zone. In addition, a buildings and works permit is not required for:

- Works permitted by the *North Road Ormond Level Crossing Removal Project Incorporated Document (July 2015)*; or
- Works for the purposes of railway operations.

Comprehensive application requirements exist addressing a range of matters, consistent with the Comprehensive Development Plan.

Any planning permit that issues must, where appropriate, include specified conditions addressing:

- preparation of a Construction Management Plan to the satisfaction of the responsible authority in consultation with Public Transport Victoria and VicRoads;
- preparation of an Emergency Evacuation Plan to the satisfaction of the responsible authority and in consultation with specified entities and relevant emergency services agencies; and
- any identified public realm works and improvements to be completed at the cost of the developer.

Comprehensive Development Plan

The purpose of the Comprehensive Development Plan is to guide the development of the land, consistent with the objectives of the Comprehensive Development Zone. The Plan contains a building envelope plan and a site access plan, and is complete with objectives, design principles and application requirements addressing a wide range of relevant matters including:

- height, massing and urban design
- public realm
- neighbouring interface
- land use mix and layout
- transport integration
- landscaping
- environmentally sustainable design
- potentially contaminated land

Development which is generally consistent with the building envelope plan in the Comprehensive Development Plan specifying building height and setback requirements over different sections (or precincts) of the site, will be exempt from advertising and third party rights of review. Development which fails to be generally consistent with the Comprehensive Development Plan will only be permitted by a planning permit which issues following third party rights of participation and review.

Clause 12 exemptions

Given the site specific and comprehensive nature of the new zone provisions, development which is generally consistent with the Comprehensive Development Plan will be exempt from all but the following specified particular provisions of the Planning Scheme:

- 52.01 (Public Open Space Contribution and Subdivision);
- 52.05 (Advertising Signs);
- 52.27 (Licensed Premises); and
- 52.28 (Gaming).

Changes to planning policy

The proposed amendments to local planning policies 21.04 (Housing and Residential Development), 21.06 (Business), and 22.07 (Housing Diversity Area Policy) are to insert strategies, implementation and policy guidelines providing additional policy support for the redevelopment of strategic sites made available through the removal of a level crossing. These changes are supported by the SJB planning report.

Minister as responsible authority

The draft planning scheme amendment is an important step in unlocking integrated development opportunities that will help effectively integrate transport with land use at this site, and will contribute to ensuring Melbourne's and Victoria's economic prosperity and liveability. As such it is appropriate that the Minister for Planning is the responsible authority for the administration and enforcement of the Glen Eira Planning Scheme in respect of the land.

4.4 Key Planning and Transport System Objectives and Principles

Transport Integration Act 2010

The Transport Integration Act 2010 provides a legislative framework for transport in Victoria. The Act seeks to integrate land use, transport planning and decision-making by extending the framework to land use agencies whose decisions can significantly impact on transport ("interface bodies").

The amendment will have a positive impact on the transport system by providing for the effective integration of transport and land use and facilitating access to social and economic opportunities by co-locating improved access to public transport with urban renewal outcomes. The objectives in section 11 of the Act are particularly relevant to the draft amendment:

- Integration of transport and land use, providing that the transport system should provide for the effective integration of transport and land use and facilitate access to social and economic opportunities.
- Transport system and land use should be aligned, complementary and supportive.

The draft amendment will help achieve the objectives set out in section 11 by co-locating employment and residential development on a site currently used only for public transport. It is expected that this co-location will provide benefits to all users of the site. Residents will have ready access to both public transport and retail outlets, and will have a reduced need for private motor vehicle transport. Both on-site and nearby retailers will benefit from the close association with a public transport hub, as well the patronage of residents living on-site. The public transport network is likely to benefit from increased use by residents living on-site as well as people who will find it more convenient to use public transport where the station is closely associated with retailers.

Other relevant objectives for the development of transport under Part 2 of the Act include:

- Social and economic inclusion.
- Economic prosperity.
- Efficiency, coordination and reliability.
- Safety and health and wellbeing.

The draft amendment will contribute to the overall effectiveness of the Ormond Activity Centre and surrounding areas and provide a means by which persons can access social and economic opportunities to support community and individual wellbeing. It will facilitate economic prosperity by enabling efficient and effective access to public transport services and provide improved accessibility to transport services to existing and future residents, businesses and employment. The controls forming part of the draft amendment will ensure that transport system and land use decisions are aligned, complementary and supportive.

Objectives of planning in Victoria

The draft amendment implements the objectives of section 4 of the *Planning and Environment Act 1987* by putting in place a suite of controls that facilitate the:

- The fair, orderly, economic and sustainable use.
- The more sustainable use of land by more efficiently using an underused, well located, piece of urban land which is located within an activity centre and maintains multiple road frontages.
- Opportunity for a 'full line' supermarket, specialty shops and more diverse and affordable housing.
- Better use of existing public utilities and infrastructure.
- Orderly provision and co-ordination of a public infrastructure project.

The amendment is expected to have positive environmental, economic and social benefits, including by:

- Integrating sustainable design principles, reducing the use of personal motor vehicles and improving existing infrastructure in the public realm.
- Making provision for a retail anchor tenant (ie. full line supermarket) and other retail outlets which will assist in arresting the local decline of retail and encouraging the community to shop locally.
- Contributing to increased housing diversity within an activity centre, within an area where community facilities can accommodate increased demand.

Ministerial Directions

The draft amendment complies and is consistent with the *Ministerial Direction - The Form and Content of Planning Schemes* and is consistent with the requirements of *Ministerial Direction 11 Strategic Assessment of Amendments*.

The draft amendment also complies with the *Ministerial Direction No. 9 Metropolitan Strategy*. In particular, in relation to *Plan Melbourne* it complies with the sections listed below by:

- *Initiative 1.5.3 Support planning for activity centres* - Allowing improved access to the Ormond Activity Centre and will allow its growth by introducing additional uses and increased density.
- *Initiative 1.6.1 Identify new urban-renewal precincts and sites around the existing rail network based on transit-oriented development principles* - Optimising the development opportunities of the land located above the relocated Ormond Railway Station which has been earmarked for additional residential, employment and mixed-use development
- *Direction 2.2 Reduce the cost of living by increasing housing supply near services and public transport* - Increasing density close to the Ormond Railway Station and will introduce new accommodation options in the Activity Centre.

- *Initiative 3.2.3 Facilitate development and drive investment through strategic removal of level crossings* - Optimising development opportunities arising out of the removal of the North Road Level Crossing Removal.
- *Initiative 4.1.1 Support a network of vibrant neighbourhood centres* - Providing for a range of uses on the site thus ensuring the Ormond Activity Centre is revitalised.

The draft amendment gives effect to *Ministerial Direction No. 1 - Potentially Contaminated Land* as an application requirement is proposed that would require an environmental site assessment to be undertaken in the event of any application to use the land for a sensitive use.

State Planning Policy Framework

The draft amendment is consistent with State Planning Policy Framework as it supports the regeneration of urban land within an existing activity centre, encourages the integration of land use and transport and promotes the use of existing infrastructure. In particular the draft amendment assists in implementing the following policies by:

- *Clause 11 Settlement* - Supporting the role and function of the Ormond Activity Centre by:
 - providing increased housing density on urban land;
 - providing diverse housing options close to jobs and services;
 - activating a mixture of different and complementary land uses; and
 - encouraging an improved connection to the Ormond Activity Centre.
- *Clause 15 - Built Environment and Heritage* - Ensuring future land use and development is of high urban design quality and architecture by creating a framework for a vibrant, functional and safe development.
- *Clause 16 - Housing* - Enabling the location of new housing in the Ormond Activity Centre on a strategic under-utilised urban site that offers good access to services and transport.
- *Clause 17 - Economic Development* - Providing for development that will meet the community's need for a range of services and activities while contributing a net community benefit in relation to accessibility and the efficient use of infrastructure.
- *Clause 18 - Transport* - Allowing development above the Ormond Railway Station thus integrating land use and transport. The car parking provisions respond by taking into account the location of public transport and existing road capacity.
- *Clause 19.03 – Design and Built Form* - Facilitating the implementation of urban design, built form, and streetscape design principles.

Local Planning Policy Framework

The draft amendment implements the Local Planning Policy Framework. The land is within a designated housing diversity area intended to accommodate additional dwellings required to house Glen Eira's future population. The draft amendment specifically implements the following policies by:

- *Clause 21.04 Housing and Residential Development* - encouraging a mix of housing types and increased residential density in a strategic location with excellent access to public services.
- Inserting a strategy into *Clause 21.04* that recognises the opportunity for landmark built form on strategic redevelopment sites made available through the removal of a level crossing.
- *Clause 21.06 Business* - Encouraging development that will provide more local employment and attract more local spending.
- Inserting an implementation guideline into *Clause 21.06* to enable a more flexible planning control on strategic redevelopment sites made available through the removal of a level crossing.
- *Clause 21.12-1 (Transport) Objectives* - enhancing access to public transport and increasing public transport patronage. It will also ensure the adequate provision of car parking to serve the needs of residents and businesses and their customers.
- *Clause 22.07 (Housing Diversity Areas Policy)* - ensuring that the density, mass and scale of future development will respond to the location and the role of the Ormond Activity Centre.
- The amendment inserts a policy guideline into *Clause 22.07* that recognises the opportunity for landmark built form on strategic redevelopment sites made available through the removal of a level crossing.
- *Clause 22.12 (Public Open Space Contribution Policy)* – identifying opportunity for future publicly accessible spaces.

5. Ongoing Role of LXRA

LXRA will have an ongoing role with the developer, right through until a planning permit is approved, pre-sales are achieved, and finance for the project is secured. This includes review and approval of the suite of planning documents prepared for and submitted as part of a permit application to the responsible authority.

The developer for the project will also be required to present draft plans, including public realm interface outcomes to the 'Urban Design Advisory Panel' (UDAP), which includes member/s of the Office of the Victorian Government Architect, as part of a pre-planning submission process. They will also be a requirement to continue to liaise with relevant transport agencies, such as PTV, VicRoads, VicTrack and Metro Trains Melbourne to discuss operational requirements and to meet any conditions associated with the land clearance issued by the Secretary for Transport (DEDJTR).

Through its approval rights during the planning preparation, LXRA will ensure any feedback received from UDAP or the key transport agencies will be incorporated into the proposal, prior to submission of a permit application to the responsible authority.

6. Conclusion

For the reasons set out above, LXRA is satisfied that the removal of the level crossing at North Road, Ormond, will give rise to an integrated development opportunity consistent with the objectives of the Level Crossing Removal Program.

Furthermore, following the completion of pre-referral assessment and acceptance process described above, LXRA is satisfied that the draft planning controls and associated materials are in a form that is appropriate for public exhibition and assessment by the LXSAC.

This referral report is part of the package of information that is being provided and will go on exhibition, along with the following -

- Draft planning scheme amendment, comprising
 - Comprehensive Development Zone at Clause 37.02, with associated Schedule 1;
 - North Road Ormond Comprehensive Development Plan, August 2016;
 - Schedule to Clause 61.01;
 - Schedule to Clause 81.01;
 - Changes to Clauses 21.04, 21.06 and 22.07;
 - Instruction sheet;
 - Explanatory Report;
- Expert reports in support of the draft planning scheme amendment:
 - Planning Report by SJB Planning (*North Road, Ormond Development - Amendment Assessment Report, August 2016*);
 - Transport Impact Assessment by GTA Consultants (*Ormond Station Urban Renewal Opportunity - Transport Impact Assessment, 5 August 2016*);
 - Economic Assessment by Deepend Services (*North Road, Ormond, Level Crossing Removal - Retail Need and Economic Impact Assessment, 5 August 2016*); and
 - Urban Context Report by David Lock and Associates (*North Road, Ormond Development - Urban Context Report, July 2016*).