

Government Land Standing Advisory Committee
Tranche 40 Report
Former Croydon South Primary School

Planning and Environment Act 1987

28 August 2023

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List of Abbreviations

Committee	Government Land Standing Advisory Committee
Council	Maroondah City Council
Council land	44A Azarow Circuit, Croydon South (Allotment 2141 Parish of Ringwood)
Department of Education land	72-84 Belmont Road West, Croydon South (Allotment 2140 Parish of Ringwood)
Draft Amendment	Draft Maroondah Planning Scheme Amendment C146maro
EAO	Environmental Audit Overlay
EPA	Environment Protection Authority Victoria
NRZ	Neighbourhood Residential Zone
NRZ3	Neighbourhood Residential Zone Schedule 3
Planning Scheme	Maroondah Planning Scheme
PPRZ	Public Park and Recreation Zone
Proponent	Department of Education
PUZ6	Public Use Zone 6 (Local Government)
UST	Underground storage tank

About this report

On 6 February 2023, the Minister for Planning referred 72-84 Belmont Road West, Croydon South to the Government Land Standing Advisory Committee as Tranche 40.

This is the report under Section 151 of the *Planning and Environment Act 1987* of the Government Land Standing Advisory Committee for 72-84 Belmont Road West, Croydon South.



Alison McFarlane, Chair



Mandy Elliott, Member

28 August 2023

1 Summary and recommendation

1.1 The site

The site is comprised of two properties in separate ownership (Figure 1). The first property, located at 72-84 Belmont Road West, Croydon South (Allotment 2140 Parish of Ringwood), is owned by the Department of Education (Department of Education land). The second property, located at 44A Azarow Circuit, Croydon South (Allotment 2141 Parish of Ringwood), is owned by Maroondah City Council (Council land). Both properties are undeveloped and contain some large native trees.

Figure 1 Site location



Source: Advisory Committee

1.2 The draft Amendment

Draft Maroondah Planning Scheme Amendment C146maro (draft Amendment) proposes to:

- rezone the Department of Education land from Public Use Zone 2 (Education) to Neighbourhood Residential Zone Schedule 3 (NRZ3) and apply the Environmental Audit Overlay (EAO)
- rezone the Council land from part Public Use Zone 2 (Education), part NRZ3 and part Public Park and Recreation Zone (PPRZ) to Public Use Zone 6 (Local Government) (PUZ6)
- amend the Clause 53.01 Schedule to set the 'amount of contribution amount for public open space' to zero for the Department of Education land.

1.3 Issues raised in submissions

The Committee received 41 submissions during the exhibition period from 18 April to 31 May 2023. Issues raised in submissions related to:

- density and neighbourhood character
- traffic, car parking and general site access
- impact of development on the environment
- provision schools and childcare
- provision of open space and waiving of requirements for open space contributions
- provision of affordable housing.

The Committee considered all written submissions received during the exhibition period as well as submissions presented to it during the Hearing. The Committee has been assisted by the information provided to it as well as its observations from an unaccompanied inspection of the site.

1.4 Committee conclusion

The Committee agrees the proposed provisions of the draft Amendment relating to the Department of Education land are appropriate (if the land is to be sold) because it is an ideal infill site for residential development that can deliver on housing objectives for Croydon South.

The Committee considers the proposed zone for the Council land should be changed from PUZ6 to PPRZ to align with Council's current and planned use of the land as part of Woodland Park.

The exhibited provisions, with changes recommended by the Committee, make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the *Ministerial Direction on The Form and Content of Planning Schemes*.

Table 1 Existing and proposed controls

Current Planning Scheme provisions	Proposed Planning Scheme provisions	Advisory Committee recommendation
Zone		
Department of Education land		
Public Use Zone 2 (Education)	Neighbourhood Residential Zone Schedule 3	Apply
Council land		
Part Public Use Zone 2 (Education)	Public Use Zone 6 (Local Government)	Apply Public Park and Recreation Zone to the whole site
Part Neighbourhood Residential Zone Schedule 3		
Part Public Park and Recreation Zone		

Current Planning Scheme provisions	Proposed Planning Scheme provisions	Advisory Committee recommendation
Overlays		
All land		
Significant Landscape Overlay Schedule 3 (Wicklow Hills Ridge and Loughnan Warranwood Ridge Landscape Protection Area)	Retain	Retain
Department of Education land		
	Environmental Audit Overlay	Apply
Particular provisions		
Department of Education land		
Clause 53.01 Schedule (Public Open Space Contribution and Subdivision)	Clause 53.01 Schedule (Public Open Space Contribution and Subdivision)	Apply
- Type/land: all subdivisions	- Type/land: 72-84 Belmont Road West	
- Amount: 5 per cent	- Amount: 0 per cent	

1.5 Recommendation

The Committee recommends:

1. Prepare and approve Maroondah Planning Scheme Amendment C146maro to:
 - a) for the Department of Education land at 72-84 Belmont Road West, Croydon South (Allotment 2140 Parish of Ringwood):
 - rezone the site to Neighbourhood Residential Zone Schedule 3
 - apply the Environmental Audit Overlay
 - amend Clause 53.01 Schedule (Public Open Space Contribution and Subdivision) to set the amount of open space contributions to "0" per cent.
 - b) rezone the Council land at 44A Azarow Circuit, Croydon South (Allotment 2141 Parks of Ringwood) to Public Park and Recreation Zone.

2 Process issues for this site

2.1 Process summary

The following tables set out the details of the process for this matter.

Table 2 Proposal summary

Proposal summary		
Tranche	40	
Site address	72-84 Belmont Road West and 44A Azarow Circuit, Croydon South	
Previous use	Croydon South Primary School	
Site owner	Department of Education and Maroondah City Council	
Council	Maroondah City Council	
Exhibition	18 April to 31 May 2023	
Submissions	<ol style="list-style-type: none"> 1. Anne Secker 2. Ryan O'Shea 3. Daniel Dyson 4. Helen Prescott 5. Geoff and Cat Brehaut 6. Anthony Barker 7. Angela Jenkins 8. Phil Dwelly 9. Robert Sinton 10. Ruth Power 11. Paige Hemman 12. Cassandra Corrone 13. Ching-Hsiung Young 14. Chris Hemman 15. Leanne Tampaline 16. Mary Agnew 17. Cathy Kevan 18. Cody Gumm 19. Kim Morris 20. Barbara McSkimming 21. Jane Moore 22. Lauren Hampson 23. Dylan Hare 24. Renee Simmons 25. Shaun Coghlan 26. Mary Yarosh 27. Toby Swift 28. Melanie Swift 29. Belle Nolan 30. Yen-Lin Lee 31. Rosemary Tudor 32. Leonie Simmonds 33. Neil Belfrage Rose 34. Jeremy Tate 35. Neil Banerji 36. Lara Banerji 37. Jacklyn Dallafiore-Lane 38. Julie Lundgren 39. Malia Sansonetti 40. Maroondah City Council 41. Melbourne Water 	

Table 3 Exhibited planning scheme changes

Existing controls		Exhibited changes	
Zone			
Department of Education land			
Public Use Zone 2 (Education)		Neighbourhood Residential Zone Schedule 3	
Council land			
Public Use Zone 2 (Education)		Public Use Zone 6 (Local Government)	
Neighbourhood Residential Zone Schedule 3			
Public Park and Recreation Zone			
Overlays			
All land			
Significant Landscape Overlay Schedule 3 (Wicklow Hills Ridge and Loughnan Warranwood Ridge Landscape Protection Area)		No change	
		Department of Education land	
		Environmental Audit Overlay	
Particular provisions			
Department of Education land			
Clause 53.01 Schedule (Public Open Space Contribution and Subdivision)		Clause 53.01 Schedule (Public Open Space Contribution and Subdivision)	
- Type/land: all subdivisions		- Type/land: 72-84 Belmont Road West	
- Amount: 5 per cent		- Amount: 0 per cent	

Table 4 Committee process

Committee process	
Members	Alison McFarlane (Chair), Mandy Elliott
Information session	16 May 2023
Hearing	By video, 24 July 2023
Site inspection	20 July 2023
Appearances	Department of Education, represented by Jane Kelly of Urbis
Requested to be heard but did not appear as scheduled	Daniel Dyson Leonie Simmons Neil Belfrage Rose
Date of this Report	28 August 2023

3 Site constraints and opportunities

3.1 Planning context

The legislative, policy and Maroondah Planning Scheme (Planning Scheme) provisions relevant to the draft Amendment are identified in Table 5.

Table 5 Planning context

Source	Relevant references
Victorian planning objectives	- section 4(1)
Municipal Strategic Statement	- Clause 21.02 Maroondah Vision and Strategic Framework Plan - Clause 21.05 Open Space - Clause 21.06 Built Form and Urban Design - Clause 21.07 Housing and Residential Land Use - Clause 21.10 Natural Resources - Clause 22.02 Residential Neighbourhood Character
Planning Policy Framework	- Clause 11 Settlement - Clause 12 Environment and landscape value - Clause 15 Built environment and heritage - Clause 16 Housing - Clause 19 Infrastructure
Other planning strategies and policies	- Plan Melbourne - Maroondah Open Space Strategy, 2016 - Maroondah Housing Strategy, 2016 - Maroondah Neighbourhood Character Study Review Recommendations Report, Draft April 2019
Planning scheme provisions	- Neighbourhood Residential Zone Schedule 3 (Canopy Cover Ridgeline Protection) - Public Park and Recreation Zone - Public Use Zone 2 (Education) - Public Use Zone 6 (Local Government) - Environmental Audit Overlay - Significant Landscape Overlay Schedule 3 (Wicklow Hills Ridge and Loughnan Warranwood Ridge Landscape Protection Area) - Clause 52.17 Native vegetation - Clause 53.01 Schedule (Public Open Space Contribution and Subdivision)
Ministerial directions	- Ministerial Direction 11 (Strategic Assessment of Amendments)
Planning practice notes and guidance	- Planning Practice Note 30: Potentially contaminated land, July 2021 (updated 9 June 2023)

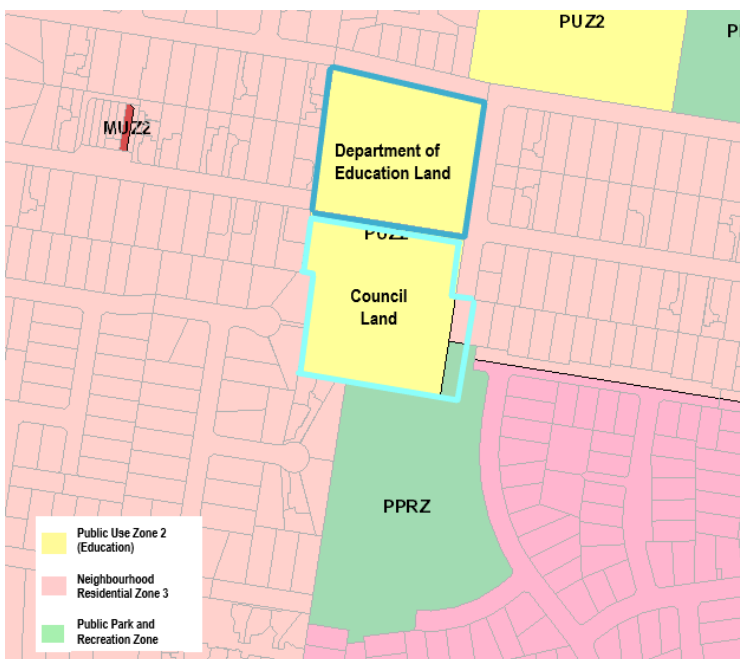
- Planning Practice Note 91: Using the residential zones, December 2019 (updated 1 July 2023)
- Practitioner's guide to Victoria's planning schemes, Version 1.5, April 2022

(i) Zone and overlay controls

The existing zone of the sites is shown in Figure 2:

- The Department of Education land is in Public Use Zone 2 (Education) (outlined in dark blue).
- Most of the Council land is in Public Use Zone 2 (Education), with small areas to the east of the site in NRZ3 and PPRZ (outlined in aqua).

Figure 2 Existing zoning



Source: Committee adapted from www.mapshare.vic.gov.au/vicplan

The Significant Landscape Overlay Schedule 3 (Wicklow Hills Ridge and Loughnan Warranwood Ridge Landscape Protection Area) (SLO3) applies to the site and surrounding land. The nature and key elements of this landscape area are described as:

- Canopy trees are the main element of the urban character of Maroondah. Canopy trees in particular soften the impact of buildings in the environment and provide a distinct leafy character to Maroondah.
- The continuous nature of the canopy vegetation throughout the ridgelines of Maroondah provides a strong character element and is much valued by the community. The canopy vegetation is a defining element of the ridgelines of Maroondah.
- Contiguous canopy vegetation contributes to the maintenance of biodiversity through the provision of wildlife movement corridors, habitat and shelter areas.

3.2 Conditions

(i) Site conditions

The site is generally rectangular in shape. It falls from its southwest corner to the northeast corner by approximately 10 metres.

The Department of Education land has an area of 1.58 hectares and the Council land has an area of 1.68 hectares. Each lot has easements for gas, sewerage and electricity. Vehicular access is provided via a single width crossover to Belmont Road West and two single width vehicle crossovers to Bacchus Drive.

The site is currently vacant, with all buildings associated with the former Croydon South Primary School having been removed.

Many mature trees are scattered across the site. In addition, there are concentrated patches of mature trees along the western boundary near Faraday Road and along the northern boundary to Belmont Road West.

An Arboricultural Assessment prepared by Tree Logic, dated 14 February 2014, identifies approximately 70 trees located on the Department of Education land and approximately 55 trees on the Council land. Of the 125 total trees, 28 trees were identified as having a moderate retention value, 90 trees were rated low, and seven trees had no arboricultural value.

A Site Contamination Assessment report by Senversa dated 21 August 2013 indicates the site and surrounding area was vacant bushland until the mid-1960s when the school was constructed. The school buildings changed configuration over time but occupied the same general area of the site.

Three furnace rooms were developed within the former school buildings. Associated underground storage tanks (USTs) were decommissioned and validated in 2011-2012. However, the Senversa report did not include information regarding the size or condition of the USTs or confirm if the pipework associated with the USTs (and any potentially contaminated soil) was removed.

(ii) Surrounding conditions

Residential interfaces

The site is located within a well-established residential area, where housing is predominantly single and double storey detached dwellings, with some dual occupancy and single and double storey multi-unit developments.

Commercial land

The Croydon Major Activity Centre is located approximately 2.5 kilometres north of the site, which accommodates a broad range of land uses including the Croydon Railway Station and major commercial and community facilities. The Ringwood Major Activity Centre is located approximately 4.5 kilometres to the west of the site which accommodates the Eastland Shopping Centre and Ringwood Railway Station.

Woodland Park

The site abuts Woodland Park to the south, a 2.42 hectare parkland managed by Maroondah City Council (Council).

The Department of Education (the Proponent) advised the Council land is proposed to be developed as parkland and will form part of the Woodland Park enhancement. The *Woodland*

Park Enhancement Master Plan 2023 (Figure 3) was subject to a public consultation process between November 2021 and January 2023 and was endorsed by Council in March 2023. Staged works and improvements are proposed to take place over the coming years.

Figure 3 Woodland Park Enhancement Master Plan

WOODLAND PARK ENHANCEMENT MASTER PLAN:



PROPOSED ZONES AND FUNCTIONS:

- ① **Flexible Open Space:**
Open grassed area for casual community recreation.
- ② **Viewing Area:**
Creation of natural, informal tiered seating using existing topography. Emphasis on maintaining view to distant Dandenong Ranges.
- ③ **Re-vegetation**
Opportunity to re-vegetate the upper reserve with native species and reintegrate local ecologies through-out the site.
- ④ **Buffer Planting:**
Dense planting areas with trees and shrubs to screen adjacent resident's properties, but not obstruct existing resident's views.
- ⑤ **Nature Play:**
Natural elements (planting, logs rocks etc) underneath existing trees for sensory play opportunities.
- ⑥ **Picnic Zone:**
Area with formal and informal furniture to allow for a range of social and gathering activities.
- ⑦ **Wheel Play Zone:**
Junior track to support roll play (bike, scooter, skate etc)
- ⑧ **Games Area:**
Hardstand area with line-markings for multiple balls sports.
- ⑨ **Structured Play:**
Combined play elements to support inclusive structured play for all.
- ⑩ **Ephemeral Area:**
Area to be constructed to capture and direct environmental water flows, and vegetated to support biodiversity. Also interwoven with steps for informal play and education.
- ⑪ **Calm Zones:**
Places that promote low sensory engagement, calmness and relaxation. These zones to be designed to encourage safe places to have non-structured, casual, conservations.
- ⑫ **Loop Trail:**
Extended existing path network to promote connection throughout the reserve and encourage physical activity. Trail network to support engagement with the natural environment.
- ⑬ **Car Parking:**
Opportunities for additional car parking spaces.
- ⑭ **Upgraded Wayfinding:**
Additional wayfinding and signage at pivotal entrance and access points.
- ⑮ **Interpretative Signage and Art:**
Elements that create narrative to connect users to place, expression of theme and education.
- ⑯ **Possible Future Public Toilet Location:**
Possible future location for a public toilet in close proximity to the play space and picnic zone.

Prepared by Urbis for Maroondah City Council - March 2023

Transport network

Belmont Road West is a local road, providing an east-west link between the 'No Through Road' adjacent to the subject site and Bayswater Road to the west. The road accommodates one lane of traffic in each direction and unrestricted parallel parking on both sides.

Bacchus Road links with Belmont Road East, providing direct vehicular connection to Dorset Road, located east of the site. Dorset Road is an arterial road providing north-south connection between the Maroondah Highway and Burwood Highway.

Eastlink (M3 Freeway) is located approximately six kilometres west of the subject site connecting Melbourne's south-eastern suburbs to the Melbourne central business area.

As noted, Croydon Railway Station is within the Croydon Major Activity Centre. The station is serviced by the Lilydale line providing convenient access to the Melbourne central business area.

The No. 737 bus route, connecting Monash University in Clayton to the Croydon Major Activity Centre, runs along Dorset Road. The closest bus stop is approximately 700 metres east of the subject site. The No. 664 bus route provides connection between the Knox City and Chirnside Park Shopping Centres and runs along Bayswater Road. The closest bus stop is approximately 800 metres west of the subject site.

3.3 Surplus statement

The site was declared surplus in September 2010. The surplus statement states:

Due to declining enrolments, the Croydon South Primary School merged with another local school. The Croydon South campus closed at the end of 2008 and the site was vacated. The school buildings were demolished in 2012 and the site remains unused and vacant since that time. DE (*Department of Education*) has undertaken a demographic analysis of future demand which confirms that the site is not required for future educational requirements.

The site was offered to other government departments, agencies, Council and the Commonwealth Government between 20 October and 19 December 2015. No interest was expressed through that process.

4 Issues with the proposed changes

4.1 Are the proposed zones appropriate?

(i) Submissions

Department of Education land

None of the community submitters commented on the proposed NRZ3 specifically, however were concerned about the nature and impact of future development if the land was rezoned. Of note, submitters were concerned:

- high density development would impact the existing neighbourhood character
- increased density would overwhelm existing infrastructure and services
- development would result in the loss of green space and habitat for wildlife.

Some community submitters encouraged allocation of part of the land for social housing to alleviate the current housing crisis. Other community submitters opposed any residential development of the land and said the land should be set aside for open space, education or health services to support the growing residential community.

The Proponent submitted the NRZ3 was the most appropriate residential zone to apply to the Department of Education land because:

- the Neighbourhood Residential Zone (NRZ) is an existing zone within the Planning Scheme which seeks to recognise areas of predominantly single and double storey residential development and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics
- of the four NRZ schedules in the Planning Scheme, the NRZ3 is most relevant to the Department of Education land as it applies to 'Canopy Cover Ridgeline Protection' areas
- the NRZ3 specifies minimum side and rear setback requirements and greater minimum requirements for areas of private open space and secluded open space for dwelling proposals
- the NRZ3 applies to all land adjoining the Department of Education land, except for the Council land to the south.

In response to other issues raised by community submitters, the Proponent submitted:

- site access, road layout traffic and car parking will be considered in detail as part of any future subdivision permit application assessment, which is standard practice for subdivision proposals
- the future permit assessment process would require the applicant to provide professional traffic engineering advice to support the proposal, including the location of any new roads within the site, any traffic impacts and justification of the provision of car parking
- tree removal is not proposed as part of the Amendment and any future application to remove vegetation will be subject to assessment under SLO3 and Clause 52.17 (Native vegetation), both of which encourage the retention of vegetation
- there is currently no State or local planning policy requiring a percentage of a development site to be set aside for social or affordable housing
- any provision of affordable or social housing on this site will be a decision for the future purchaser

- while the site is no longer required by the Department of Education, an application can be made to establish alternative education uses on the land.

Council supported rezoning the land and advised the NRZ3 would be consistent with the zone applying to surrounding land. Council submitted the land is relatively close to the Croydon South Neighbourhood Activity Centre located on the corner Bayswater Road and Eastfield Road. As part of Council's Croydon South 20 Minute Neighbourhood work, this centre and its immediate catchment are likely to be the subject of further population growth. Council's demographic analysis indicates the need for more publicly and privately provided early years services within this part of the municipality. This is against a backdrop of a growing local population, including a younger demographic.

Council requested the Committee ensure future controls for the site (including any directions around subdivision requirements) not preclude a portion of the Department of Education land being used for a possible 'Child Care Centre' use. This could pave the way for a commercial long day care provider or a kindergarten to potentially operate from the site.

Melbourne Water advised it did not object to the draft Amendment.

Council land

The Proponent submitted that rezoning the Council land to PUZ6 recognises that it is public land owned by Council. The PUZ6 is consistent with the current public use zoning of the site, however, revises the schedule to align with the intended future use. Further, when applied across the Council land, PUZ6 in conjunction with the existing SLO3 will support the protection of the natural environment and ensure that any future development of the site respects this existing neighbourhood and landscape character, while contributing to the local community through appropriate public land use.

The Proponent provided a copy of an email between the Department of Transport and Planning (Land and Property Group) and a senior officer of Council (Document 8). The Council Officer advised:

- the land was not purchased by Council using public open space contributions
- the land has no special qualities that would mean the more restrictive PPRZ is more appropriate than PUZ6
- PUZ6 comfortably supports the land being used as a park, but also allows Council and the community to determine if other appropriate community uses are needed to co-locate on the land
- the imposition of PPRZ significantly limits any such uses or decisions by Council and the community in the long term
- the *Local Government Act 1989* requires Council to consult with the community before other uses are established on the site.

The Proponent supported Council's position as expressed in Document 8.

Mr Dyson submitted:

- The *Victorian Government Land Transaction Policy 2022* states the Public Use Zone is the main zone for public land used for utility or community service provision whereas PPRZ is the main zone used for public open space and public recreation areas.
- Public open space is more appropriately categorised by PPRZ, consistent with the zone applied to Woodland Park, Belmont Park, Gateway Reserve, Eastfield Park, Cheong Park, Dorset Recreation Reserve, Town Park, Croydon Park and others.

(ii) Discussion

Department of Education land

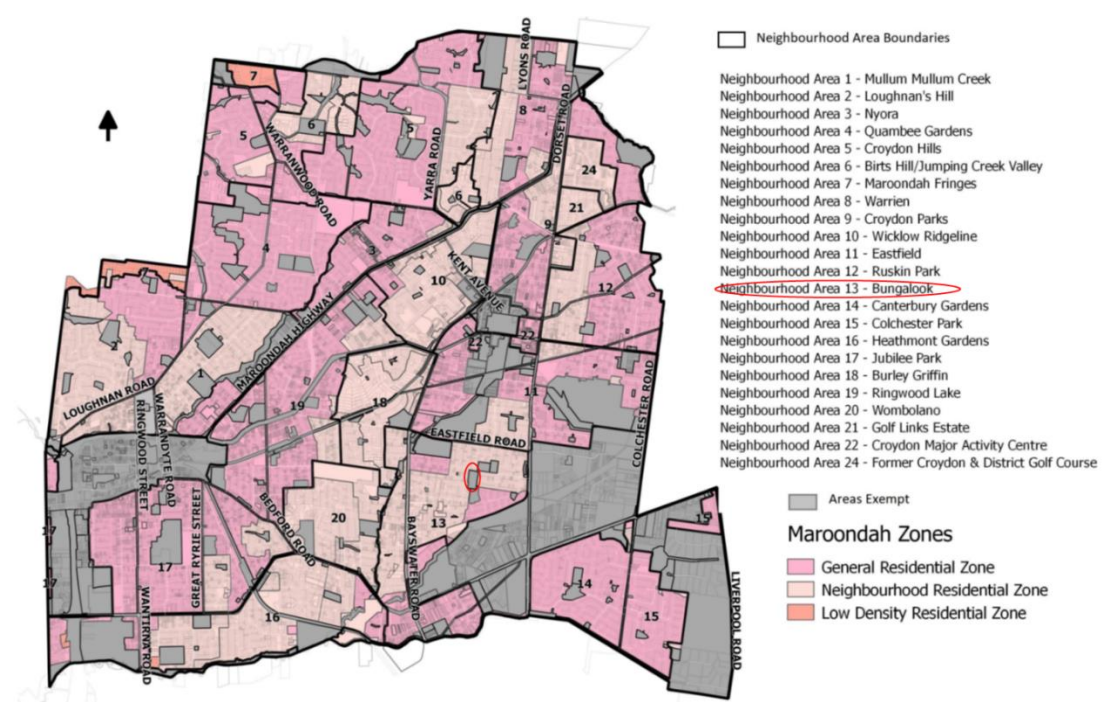
The Department of Education land is located centrally within an established, conventional density suburban area. The area has many attractive qualities, particularly the character and amenity provided by the mature trees and the distant views to the Yarra Ranges. Woodland Park provides an anchor for community life and offers a mix of active and passive recreational opportunities which contribute to the appeal and attractiveness of the area.

The proposal to rezone the Department of Education land to NRZ3 and subsequent future development is a change for local residents, however the Committee is satisfied rezoning the land to NRZ3 is strategically justified and appropriate. The land is an ideal infill development site, that will provide new opportunities for housing and possibly some community uses to service Maroondah’s growing population. This is consistent with Planning Scheme Clause 11.01-1S (Settlement) which includes the strategy to “*promote and capitalise on opportunities for urban renewal and infill redevelopment*”.

The NRZ3 will be consistent with other residential land adjoining the Department of Education land, and is an appropriate zone to achieve infill redevelopment consistent with the preferred character of this area, as expressed at Clause 22.02 (Residential neighbourhood character).

The site is located in Neighbourhood Character Area 13 – Bungalook (see Figure 4).

Figure 4 Maroondah Neighbourhood Area boundaries



Source: Maroondah Planning Scheme

The preferred character outcome for this area will be achieved by:

- Ensuring a range of well articulated and site responsive dwellings.
- Ensuring buildings are setback from all boundaries a sufficient distance to allow substantial vegetation, particularly canopy trees.
- Ensuring the front setbacks are not dominated by impervious surfacing or car parking structures.
- Encouraging the use of additional indigenous and exotic canopy trees in private gardens.

Encouraging native street planting to unify the neighbourhood and visually link public and private gardens.

Ensuring development adjacent to the Bungalook Creek is responsive to the landscape character of the area.

Ensuring low or no front fences.

Ensuring development is well buffered from adjacent non-residential uses.

This policy must be read together with the zone provisions of NRZ3, which sets a:

- maximum building height of 9 metres and 2 storeys at any point
- minimum side setback requirements of 1.2 metres
- minimum rear setback requirement of 5 metres
- private open space requirement of 60 or 80 square metres for single or multi dwellings respectively.

Development of this scale and intensity would be consistent with the existing neighbourhood character.

The Committee has considered whether the site's constraints and opportunities require heightened guidance in the form of a Development Plan Overlay (or similar) to ensure an appropriate outcome is achieved by future development. The Committee is satisfied this is not required given the Department of Education land is a modestly sized and regularly shaped parcel, without any particular development constraints.

There will be multiple options for designing the site so it integrates with the existing neighbourhood and surrounding pattern of development so it provides a positive interface to the expanded Woodland Park. A preferred option for redevelopment of the land does not need to be resolved at the strategic planning (amendment) stage and can be resolved as part of a future application to subdivide the land, guided by the requirements of the Planning Scheme. A future permit application under the existing NRZ3 provisions is subject to third party notice and review which provides an opportunity for community participation in the decision making process.

There is nothing before the Committee suggesting development of the Department of Education land for housing would overwhelm existing infrastructure and services. The view expressed by some community submitters was not shared by Council and Melbourne Water who are primarily responsible for planning for roads, drainage and water services.

If rezoned, the future development of the Department of Education land for conventional residential purposes will be a change to the open, informal 'green' area that is enjoyed by residents. A future scheme for the land will need to consider how existing vegetation can be integrated into the development pattern, having regard to Clause 52.17 (Native vegetation) SLO3. Both of these provisions require a planning permit be obtained to remove vegetation and encourage no net loss of native vegetation.

In response to Council's desire for there to be discretion to allow a portion of the Department of Education land to be used as 'Child care centre' in the future, the Committee notes an 'Education centre' (including a 'Child care centre') is a permit required use under the NRZ3. A future application would be determined on its merits.

Council land

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.

The purpose of the PPRZ is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas for public recreation and open space.
- To protect and conserve areas of significance where appropriate.
- To provide for commercial uses where appropriate.

The currently intended future use of the Council land is for public recreation and open space, consistent with the *Woodland Park Enhancement Master Plan 2023*. The PPRZ is the zone within the Victoria Planning Provisions specifically tailored for land used for public recreation and open space. The Committee considers the PPRZ is best aligned with existing conditions and planned future enhancement of the Council land.

The Committee disagrees with the Proponent and Council it would be appropriate to apply PUZ6 to the Council land to preserve opportunities to establish other community uses on the land in the future. Zones should be applied on the land based on the strategic intent for the land. Council's present strategic intent is expressed through the *Woodland Park Enhancement Master Plan 2023*. On that basis, the PPRZ is the appropriate zone to apply.

Conclusion and recommendations

The Committee concludes:

- the NRZ3 is the appropriate zone to apply to the Department of Education land to provide new opportunities for housing and some community uses to service Maroondah's growing population
- the PPRZ is the appropriate zone to apply to the Council land to recognise its planned use for public recreation and open space.

The Committee recommends that a planning scheme amendment be prepared and approved to:

Apply the Neighbourhood Residential Zone Schedule 3 to the land at 72-84 Belmont Road West, Croydon South (Allotment 2140 Parish of Ringwood).

Apply the Public Park and Recreation Zone to the land at 44A Azarow Circuit, Croydon South (Allotment 2141 Parks of Ringwood).

4.2 Is the Environmental Audit Overlay appropriate?

(i) Submissions

Senversa, engaged by the Proponent to undertake a site contamination assessment in 2013, recommended the EAO apply to the footprint of the former buildings and boiler rooms, being the area of the Department of Education land.

The Proponent explained it was advised by Environment Protection Authority Victoria (EPA) to apply the EAO to the northern part of the subject land (the Department of Education land) because of the historical presence of three USTs and potential presence of fuel lines associated with the USTs being left *in situ*.

Before public exhibition of the draft Amendment, the Proponent referred this proposal to EPA in accordance with Ministerial Direction 19. EPA advised that given the site history, an independent peer review of the contamination assessment work should be undertaken.

The Proponent appointed Bluesphere Environmental Pty Ltd to undertake this peer review (Document 9). The Proponent explained that Bluesphere found:

- The Senversa 2013 report was prepared in accordance with the National Environment Protection Measures (NEPM).
- The Department of Education land would be classified as having 'high' potential for contamination due to the former presence of USTs. Consequently, an environmental audit would be required for the northern portion of the site to support a planning scheme amendment that allows a sensitive use to be established.
- The potential for contamination associated with the Council land, which was formerly used as a school oval is low. Accordingly, an environmental audit is not considered to be necessary prior to any planning scheme amendment that allows a sensitive use on that land.
- An EAO should only be applied to Department of Education land.

The Proponent submitted the peer review was provided to the EPA who further advised the Proponent that it had taken all reasonable steps to identify all areas of potential contamination and did not object to the draft Amendment as proposed.

(ii) Discussion

The Committee understands that the proposed EAO is proposed to be applied to the portion of the property where relevant environmental risks potentially exist where the land is proposed to be rezoned for a sensitive land use.

In reviewing the Proponent's submission, and the Senversa and Bluesphere reports, the Committee accepts the peer review advice that states the USTs are *"likely to have been adequately remediated and validated, such that the actual risks to soil and groundwater due to the former USTs are likely to be low, in view of the potential risk an environmental audit is nevertheless necessary to provide robust demonstration that the potential risks have been appropriately addressed so as to allow a sensitive land use"*.

The Committee accepts there is a low risk of contamination in the southern portion of the site (Council land) which had previously been used as a school oval. Consistent with the EPA's advice, it is unnecessary to apply to the EAO to the Council land.

(iii) Conclusion and recommendation

The Committee concludes it is appropriate to apply the EAO to the Department of Education land to signal that the site is potentially contaminated, and an environmental audit is required prior to the use of the land for a sensitive land use.

The Committee recommends that a planning scheme amendment be prepared and approved to:

Apply the Environmental Audit Overlay to the land at 72-84 Belmont Road West, Croydon South (Allotment 2140 Parish of Ringwood).

4.3 Should the Clause 53.01 Schedule (Public Open Space Contribution and Subdivision) be amended?

(i) Submissions

The Proponent explained the Crown Grant for the Council land restricts its use for community purposes. This restriction was agreed between the former Department of Education and Training and Council on the basis Council would not require the future owner of the Department of Education land to make any public open space contributions that would otherwise be required under the Planning Scheme or pursuant to Section 18 of the *Subdivision Act 1998*.

The Proponent submitted the use of the Council land for high amenity open space purposes with opportunities for both active and passive recreation, more than compensates for the removal of the requirement to provide an open space contribution on the northern portion of the site.

Submitter 3 questioned whether it was appropriate to reduce the open space contribution rate to zero particularly in the absence of information about a development proposal for the land. This submitter stated this would be inconsistent with Council's policy for no net loss of the 650 hectares of open space owned by Council as set out in the *City of Maroondah Climate Change Risk and Adaptation Strategy 2018/19 - 2021/22*.

Mr Dyson submitted the default public open space contribution should remain in place for the Department of Education land regardless of the transfer of the southern lot to Council. He explained:

- the open space contribution ensures there is an adequate funding stream to ensure a sufficient standard of open space provision
- the principle is that all development must contribute to providing open space to help to meet the need it generates
- it ensures that communities are not excessively burdened with open space costs to meet an acceptable open space standard.

Mr Dyson said the former school site was previously managed by the Department of Education on behalf of the Victorian community. It has been party returned to the same community, under Council ownership, in exchange for a proposal to remove the 5 per cent open space contribution for that part of the land to be sold. He considered it unlikely that the Planning Scheme envisaged the use of Crown land to offset public open space contributions (noting that the Crown land only reverted to Department of Education ownership in freehold for the purposes of the transaction).

Mr Dyson disagreed that the transfer of land to Council more than compensates for waiving the open space contribution for the Department of Education land. He noted there is no information available confirming the valuation of land involved in the land transaction.

(ii) Discussion

Council's objectives for 'open space' planning at Clause 21.05 of the Planning Scheme seek to ensure open space caters for the needs of the community. Strategies for open space include:

Ensuring that any developments that increase the density and intensity of land use in Maroondah contribute to the funding of the open space network via an appropriate amount of open space or monetary contribution under the *Subdivisions Act 1988* for each relevant subdivision.

Acquiring land for open space purposes, as part of a land subdivision or strategic land purchase by Council, using the criteria that the land should be greater than 0.4 hectare or, if it is less, it should be any of the following:

- A link with other areas of open space.
- Situated along a waterway.
- Environmentally significant.
- Have potential to be developed as a community facility.

Ensuring that development adjacent to open space respects the function and sensitivities of that open space and where appropriate provides for linkages and interaction with the open space.

The Maroondah Open Space Strategy 2006, which is a background document to Clause 21.05, recognises there are limited opportunities to secure large new open space areas for the community. It states:

Limited new large open space contributions

The era of new large subdivisions has come to an end with almost all large parcels of subdividable residential land in Maroondah now having undergone development.

The opportunity for new open space land to become available to the Maroondah community through land developments into the future is very limited. Rather, land assets will need to come from existing site redevelopments, land swap negotiations or from planned acquisition utilising open space contributions.

As a result, the use and development of open space and the pressures between activity types for the provision of quality environments will require greater attention than ever before.

The draft Amendment proposes to modify the Clause 53.01 Schedule to set the public open space contribution for the Department of Education land to zero. The Committee is satisfied this is appropriate, recognising almost half the former school site has been transferred to Council and will be added to the existing public open space network as an extension of Woodland Park. The arrangement has delivered a significant community benefit, well beyond what would have been achieved if a five per cent contribution was made through a conventional subdivision of the land.

The Committee disagrees with Mr Dyson that the additional open space contribution should be required by the future developer of the Department of Education land. The standard public open space contribution normally required has already been met through the transfer of land to Council.

(iii) Conclusion and recommendation

The Committee concludes it is appropriate to waive the public open space contribution requirement for the Department of Education land.

The Committee recommends that a planning scheme amendment be prepared and approved to:

Amend Clause 53.01 Schedule (Public Open Space Contribution and Subdivision) to set the amount of open space contribution to “0” per cent for the land at 72-84 Belmont Road West, Croydon South (Allotment 2140 Parish of Ringwood).

4.4 Future road access

(i) Background

The Department of Transport and Planning (Government Land Planning Service) advised the Committee that the Minister for Planning requested the proposed Amendment documents consider future road access including a link between Homer Avenue and Faraday Road (Figure 5). This was noted on the ‘Engage Victoria’ website which hosted the exhibition material.

Figure 5 Existing layout of Homer Avenue and Faraday Road

Source: www.mapshare.vic.gov.au/vicplan

(ii) Submissions

Community submissions on the potential joining of Homer Avenue and Faraday Road were mixed. Some submitters opposed the joining due to:

- increased through traffic connecting to broader road network, including Bayswater Road and Dorset Road
- limited capacity of roads to absorb additional traffic
- safety concerns
- potential impact on mature trees and habitat for wildlife.

Other submitters supported the opening because it:

- would improve permeability through the area
- is preferable to connecting Belmont Road East with Belmont Road West.

(iii) Discussion

The draft Amendment is not accompanied by specific local provisions with requirements for a future road network to service the site. These requirements are sometimes set out in a Development Plan Overlay (or similar) for larger, more complex sites.

The Department of Education land is modest in size within an established residential context. The Committee is satisfied there are no specific access and movement issues for pedestrians, cyclists, cars or public transport that need to be resolved at the planning scheme amendment stage. It is appropriate to resolve these issues at the planning permit stage.

If rezoned to NRZ3 as proposed, a future application to subdivide the land will be assessed under Clause 56.06 (Access and mobility management). This sets out the objectives and standard for the walking, cycling, public transport and neighbourhood street network, to be met in a future development.

(iv) Conclusion

The Committee concludes it is appropriate to resolve access and movement issues for the site at the planning permit stage as part of a development application.

Appendix A: About the Government Land Standing Advisory Committee

The Government Land Planning Service is a 2015 initiative to deliver changes to planning provisions or correct planning scheme anomalies for land owned by the Victorian Government. The Government Land Standing Advisory Committee (the Committee) was initially appointed under Part 7, section 151 of the *Planning and Environment Act 1987* in July 2015.

A revised Terms of Reference for the Committee was approved in June 2020.

The Committee currently consists of:

- Lead Chair: Lester Townsend
- Chairs: Tim Hellsten, Lisa Kendal, Alison McFarlane
- Deputy Chairs: Michael Ballock, Elissa Bell, Mandy Elliott, Annabel Paul
- Members: Brodie Blades, Debra Butcher, Geoffrey Carruthers, Sally Conway, Shannon Davies, Noelene Duff, Peter Edwards, Meredith Gibbs, Jonathan Halaliku, John Hartigan, Elizabeth McIntosh, Michael Malouf, Rachael O'Neill, Kate Partenio, Cazz Redding, John Roney, Lynn Sweeney, Adam Terrill, Jessica Tulloch

The Committee is assisted by Chris Brennan, Senior Project Officer in Planning Panels Victoria.

The Committee's Terms of Reference state that the purpose of the Advisory Committee is to:

- a. advise the Minister for Planning on the suitability of new changes to planning provisions for land owned, proposed to be acquired or to land required to facilitate the delivery of priority projects by the Victorian Government, and
- b. provide a timely, transparent and consultative process to facilitate proposed changes to land owned or proposed to be acquired; or to support delivery of priority projects by the Victorian Government.

The Advisory Committee must produce a written report for the Minister for Planning providing:

- a. an assessment of the appropriateness of any changes of planning provisions in the context of the relevant planning scheme and State and Local Planning Policy Frameworks,
- b. consideration of whether the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on The Form and Content of Planning Schemes,
- c. an assessment of whether planning scheme amendments could be prepared and adopted for each proposal, including the recommended planning provisions,
- d. an assessment of submissions to the Advisory Committee,
- e. any other relevant matters raised during the hearing(s),
- f. a list of persons who made submissions considered by the Advisory Committee,
- g. a list of persons consulted or heard,
- h. endorsement by the Chair or the Deputy Chair.

Appendix B: Document list

No.	Date	Description	Party
1	6 February 2023	Letter of referral	Minister for Planning
2	8 June 2023	Committee Hearing notice letter	Planning Panels Victoria (PPV)
3	8 June 2023	Directions, distribution list and Hearing timetable	PPV
4	19 June 2023	Melbourne Water response to proposed planning scheme amendment	Melbourne Water
5	17 July 2023	Submission	Department of Education
6	18 July 2023	Notification report	Department of Transport and Planning Government Land Planning Service
7	21 July 2023	Presentation	Department of Education
8	24 July 2023	Correspondence to the proponent from Maroondah City Council regarding selection of zone	Department of Education
9	24 July 2023	Environmental advice, BlueSphere, May 2021	Department of Education
10	26 July 2023	Submission	Daniel Dyson