

HAMPTON PARK HILL DEVELOPMENT PLAN AND PLANNING SCHEME AMENDMENT FREQUENTLY ASKED QUESTIONS



Last updated: 12 July 2023

The Hampton Park Hill Development Plan will facilitate the future development of land around the existing Hallam Road landfill in Hampton Park for circular economy waste and resource recovery activities, regional public open space and light industrial activities that generate local employment opportunities.

When will Council decide on the Development Plan?

The City of Casey will consider State Government policy requirements, community submissions, and proposed officer changes to the Hampton Park Hill Development Plan at the Council Meeting on 18 July 2023.

Consideration will also be given to progressing with Planning Scheme Amendment C294 which proposes to amend the current Special Use Zone and Development Plan Overlay that applies to the Development Plan land.

What is the purpose of the Development Plan and where does it apply?

The Development Plan must be consistent with State Government policy such as *Plan Melbourne 2017-2050*, the *State-wide Waste and Resource Recovery Implementation Plan 2018* and the *Hallam Waste and Resource Recovery Plan 2021*. The State Government has identified this site as one of 22 hubs of state importance for 'waste and resource recovery' activities to service the needs of the region. The Development Plan will guide the future land use and development of the area before a planning permit can be granted in line with State Government policy. The Hampton Park Hill Development Plan applies to land shown in Figure 1 below.

Figure 1: The Hampton Park Hill Development Plan Precinct Boundary, 2023



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A development plan can set out specific requirements when considering future land use and development proposals. Any future planning permit application must be generally in accordance with an approved development plan under the Development Plan Overlay in the *Casey Planning Scheme*.

What is Council's role in the preparation and approval of the Development Plan?

Council's role as a 'Responsible Authority' under the *Planning and Environment Act 1987* is to consider and decide on a Development Plan in accordance with State Government policy and the provisions of the Casey Planning Scheme. Council must also consider relevant matters raised in submissions received to the Development Plan.

What can and can't Council consider as a relevant matter in submissions?

Relevant matters that can be considered by Council in submissions are confined to land use planning matters. Council is generally unable to consider:

- ❖ Concerns that are not directly related to the Development Plan.
- ❖ Matters raised with the operation of the existing landfill, in particular off-site amenity impacts such as odour, dust, noise, litter, and traffic.
- ❖ The merit of future land use and development proposals, until such time as planning permit applications are lodged.
- ❖ Whether the Development Plan will have an impact on property values.

How does the community benefit from the approval of the Development Plan?

Approval of the Development Plan will:

- ❖ Provide a framework for the future land use and development of the precinct and will guide decision making for future planning permit applications.
- ❖ Result in a significant portion of the land becoming available in the future for passive and active recreation.
- ❖ Facilitate employment and provide more job opportunities for residents and economic benefits for existing businesses operating in the local shopping areas.
- ❖ Facilitate urban design improvements through landscaping, high quality building design and, pedestrian and cycling pathways that connect to existing residential areas.

What changes are proposed to the Development Plan?

A range of modifications have been made to the Development Plan, but the fundamental vision and strategic intent of the Development Plan has not changed. The key changes proposed include:

- ❖ Updating the Vision to reflect new land use staging plans.
- ❖ Formulating new staging plans to show evolution of the development plan area:
 - Stage 1 – Current to closure of landfill (2040) – acknowledges the role of existing buffers and impacts for certain types of land use.
 - Stage 2 – Landfill rehabilitation and gas extraction – transitioning of land for public open space.
 - Stage 3 – Ultimate scenario – buffers removed, and precinct developed.
- ❖ Modifying the Development Plan to address relevant matters raised in submissions.
- ❖ Addressing the concerns expressed by the EPA by the inclusion of three staging plans; greater consistency in terminology and use of language; clear position relating to the EPA's role around the recommended buffer for landfills; the inclusion of planning permit 'Application Requirements' for certain land uses; and a section that better addresses potentially contaminated land.
- ❖ Changing numerous 'Objectives', 'Requirements' and 'Guidelines' of the Development Plan to address matters raised in submissions.
- ❖ Amending other figures in the plan, including the planning control maps to reflect the new

Development Plan boundaries, removal of a possible transfer station building footprint from maps and updating interface diagrams to address the relevant matters raised in submissions.

- ❖ Modifying 'Future Strategic Work', including statements relating to the future investigation of a Buffer Area Overlay and its implementation via a future planning scheme amendment.

What is happening with the landfill Buffer Area Overlay?

Submitters raised concerns in relation to the Environment Protection Authority's (EPA) recommended buffer for the landfill being shown in the Development Plan and a proposal to introduce a Buffer Area Overlay (BAO) over residential land. It is recommended that further investigation be undertaken into the merit of applying a BAO and a report come back to Council on this matter in the future.

Why is there a buffer shown on my land and what does it mean?

The existing landfill commenced operation in the 1990s when the EPA recommended buffer was 100 metres. More recently, the EPA increased the buffer for landfills to 500 metres. During the intervening period, residential development occurred and is now located within the revised buffer area.

The Development Plan recognises the 500 metre EPA recommended buffer for the existing landfill by showing the buffer on various plans within the document to provide transparency and certainty for the community and the development industry.

What regulations apply to the existing landfill?

The existing landfill is regulated by the EPA via monitoring and reporting requirements. Reports are prepared by environmental auditors to determine if the site is posing any risk to human health and the environment. Living nearby or within the buffer of the existing landfill does not imply that those properties or residents are at risk.

Any new land use and/or development proposals that require a buffer to sensitive uses like dwellings, may require reports to be prepared to assess the likelihood of off-site amenity impacts. This information along with other matters are considered when determining the merits of a planning permit application.

When is the landfill expected to close?

The landfill has a planning permit to accept waste until 2040. However, at current tipping rates it is expected to reach capacity earlier than 2040. After the landfill stops accepting waste, rehabilitation occurs, and an Aftercare Management Plan will be put in place for a default period of 30 years in accordance with EPA requirements. EPA requirements for rehabilitation and aftercare for the landfill includes re-vegetation of the area, landfill gas monitoring and extraction, and general monitoring of the landfill. More information can be found in *EPA publication 1490.1: Closed landfill guidelines (EPA, 2018)*.

When does the public open space become available for community use?

Approximately 26 hectares of future active open space located to the north of the existing landfill will become available near or upon the closure of the landfill. Once the land has been remediated and environmental reports signed-off, Council will take ownership of the land and planning for active recreational activities will commence.

Upon the closure and rehabilitation of the existing landfill and completion of the aftercare management requirements, approximately 58 hectares of the landfill will become available for passive open space and will include activities such as walking and cycling paths. The EPA will need to be satisfied that the landfill owner has met their aftercare requirements and necessary environmental audits.

What kind of employment land is proposed and when?

The Development Plan has been informed by the *Employment Land Study* (SGS, 2022). This study identifies an area within the Development Plan as suitable for land uses relating to a circular economy for waste and resource recovery, and light industrial. Light industrial activities will provide local employment opportunities and are less likely to have the potential for off-site amenity impacts on surrounding residential land uses and public open space. The three staging plans in the Development Plan will influence the availability of the employment land in a staged manner over time.

How is the land affected by flooding proposed to be developed?

The existing Urban Floodway Zone and the Land Subject to Inundation Overlay includes the land subject to flooding. These planning controls guide any land use or development within the floodway. Construction of buildings and significant earthworks are generally not allowed. Any buildings that interface with the floodway need to be designed having regard to stormwater flows and retention of biodiversity. There may be the potential to review the mapped flooding extent of River Gum Creek in the future as development in the precinct and upstream stormwater flows change.

How is land affected by gas and electricity transmission easements proposed to be developed?

Development of land which is affected by the gas pipeline and the electricity transmission easements may in the future include a linear park and shared pathways. Construction on and nearby the gas pipeline easement must be approved by the pipeline operator prior to commencing development.

Land use under the electricity transmission easement must not impact the ability to access the transmission lines. Appropriate land uses may include carparking, roads, open space, and shared paths.

What opportunities are there for the community to engage in the Planning Scheme Amendment Process?

There are several stages in the amendment process for interested parties to be involved. The first is at the exhibition stage of the amendment process where the community can make submissions to Council. An independent Planning Panel may be appointed where anyone who has made a submission at the exhibition stage is entitled to make a further presentation to the Panel.

The community can also engage with the process when Council reports consider community submissions, any Planning Panel report, and when Council decides on the Planning Scheme Amendment.

Where can I find more information?

This document is intended to provide basic information based on questions that may be asked about the Hampton Park Hill Development Plan and Planning Scheme Amendment.

Further information and a copy of the Council report including attachments as well as the Development Plan is available on Council's Casey Conversations page at: <https://www.casey.vic.gov.au/access-past-meetings-minutes-agendas>

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