

Warrnambool Planning Scheme

Draft Amendment C217warr

Explanatory Report

Overview

This draft amendment implements the East of Aberline Precinct Structure Plan (the PSP) and the East of Aberline Development Contributions Plan (the DCP) to guide growth in this area over the next 20 to 30 years. The PSP will unlock up to 4,500 homes and support a new community of approximately residents and fund the delivery of essential infrastructure such as new arterial road intersections, network of local parks and land for community facilities.

The draft amendment proposes to incorporate the PSP and the DCP into the Warrnambool Planning Scheme (the Scheme) and rezone the land to Urban Growth Zone (UGZ). A new Schedule 1 to the UGZ (UGZ1) will be applied to facilitate development of the precinct generally in accordance with the PSP. Additional changes to overlays, particular provisions, general provisions and operational provisions of the Scheme are also required to facilitate the implementation of the PSP.

Where you may inspect this amendment

The draft amendment is available for public inspection between 19 September 2025 – 21 October 2025 online at:

Engage Vic

<https://engage.vic.gov.au/EastofAberline>

The draft amendment is available for public inspection, free of charge, during office hours at:

Department of Transport and Planning

Department of Transport and Planning website at <https://vpa.vic.gov.au/project/eastofaberline> or by contacting the office on 9651 9600 to arrange a time to view the amendment documentation.

Warrnambool City Council

25 Liebig Street, Warrnambool Vic 3280

8.30am to 5pm, Monday to Friday

<https://www.warrnambool.vic.gov.au/contact>

If you do not have access to the internet and the above office is closed or not accessible during office hours, please contact the Victorian Planning Authority (VPA) on 03 9651 9600 to make alternative arrangements to obtain a copy of this draft amendment.

Submissions

Any person may make a submission to the planning authority about the draft amendment. Submissions about the draft amendment must be received by 21 October 2025. A submission must refer to the East of Aberline Precinct Structure Plan and Development Contributions Plan draft amendment and be sent to:

Online: <https://engage.vic.gov.au/EastofAberline>

Email: EastofAberline@transport.vic.gov.au

Post: Victorian Planning Authority c/- East of Aberline Precinct Structure Plan GPO Box 2392 Melbourne, VIC 3001

Standing Advisory Committee dates

If required, this draft amendment will be subject to the VPA Projects Standing Advisory Committee, appointed pursuant to Part 7, section 151 of the Planning and Environment Act 1987 (the Act) to advise the Minister for Planning and the VPA on referred projects and plans and associated draft planning scheme amendments.

While the VPA will seek to resolve any issues raised, unresolved issues or particular matters may be referred to the VPA Standing Advisory Committee, which will contact submitters and then determine the best way to consider unresolved matters – either by round table discussions, written submissions or a public hearing (or a combination of these options). The VPA Standing Advisory Committee will provide advice on the draft amendment to the VPA and Minister for Planning.

The VPA will then make recommendations to the Minister for Planning, who will consider the appropriate approval pathway for the draft amendment.

If required, dates for the East of Aberline Standing Advisory Committee are reserved for:

- Directions hearing: week commencing 16 February 2026
- Standing Advisory Committee hearing: week commencing 23 March 2026

Details of the amendment

Who is the planning authority?

This draft amendment (the amendment) has been prepared by the VPA on behalf of the Minister for Planning, who is the intended planning authority for this amendment.

The amendment has been made at the request of the VPA.

Land affected by the amendment

The draft amendment applies to land identified in the East of Aberline Precinct Structure Plan (PSP), referred to as 'the precinct'. The precinct is approximately 410 hectares in size situated to the north-west of Warrnambool. It is generally bound by Wangoom Road to the north, Dales Road to the south, Aberline Road to the west and the property at 75 Rodgers Road to the east, as illustrated on Map 1 below.

Map 1



What the amendment does

The draft amendment proposes changes to the Warrnambool Planning Scheme to facilitate the development of land within the precinct, which is predominantly zoned Farming Zone, in accordance with the vision outlined in the PSP.

Specially, the draft amendment proposes the following changes:

- Amends Clause 2.03-1 Municipal Planning Strategy – Settlement and Clause 2.04 Strategic Framework Plan to reflect that additional areas have been incorporated into the PSP. The reference to 380 hectares of land is to be increased to 410 hectares at Clause 2.03-1 and the plan titled “Warrnambool Strategic Framework Plan” amended to include the newly incorporated land added to the PSP along its east side boundary at:
 - 214 Horne Rd, Warrnambool (was previously only partially included)
 - 150 Rogers Rd, Warrnambool (was previously only partially included)
 - 53 Rogers Rd, Warrnambool
 - 75 Rogers Rd, Warrnambool
- Inserts Clause 37.07 Urban Growth Zone (UGZ) and Schedule 1 to Clause 37.07 Urban Growth Zone. The schedule will set out the land use and development controls for the precinct with regard to the East of Aberline PSP, August 2025.
- Rezones land from the Farming Zone to the Urban Growth Zone Schedule 1.
- Amends the Schedule to Clause 43.01 to include the following heritage places as follows:
 - Heritage Overlay 381 at 174 Aberline Road, Warrnambool.
- Applies Clause 44.03 Floodway Overlay to land within the precinct.
- Applies Clause 44.04 Land Subject to Inundation to land within the precinct.
- Inserts Clause 45.01 Public Acquisition Overlay (PAO).
- Applies Clause 45.01 (PAO1) to reserve land for a community facility and nominates Warrnambool City Council as the acquiring authority for land at
 - 75 Boiling Down Road Warrnambool VIC 3280
- Applies Clause 45.01 (PAO2) to reserve land for a local sports reserve and nominates Warrnambool City Council as the acquiring authority for land at
 - 75 Boiling Down Road Warrnambool VIC 3280
- Applies Clause 45.01 (PAO3 – PAO5; PAO 14) to reserve land for road upgrades and intersections and nominates Warrnambool City Council as the acquiring authority for land at
 - 31 Boiling Down Road Warrnambool VIC 3280
 - 75 Boiling Down Road Warrnambool VIC 3280
 - 79 Boiling Down Road Warrnambool VIC 3280
 - 135 Boiling Down Road Warrnambool VIC 3280
 - 140 Boiling Down Road Warrnambool VIC 3280

- Applies Clause 45.01 (PAO6 - PAO13) to reserve land for retardation basins and waterways and nominates Warrnambool City Council as the acquiring authority to the land addresses as follows:
 - 174 Aberline Road Warrnambool VIC 3280
 - 80 Aberline Road Warrnambool VIC 3280
 - 60 Boiling Down Road Warrnambool VIC 3280
 - 75 Boiling Down Road Warrnambool VIC 3280
 - 105 Boiling Down Road Warrnambool VIC 3280
 - 135 Boiling Down Road Warrnambool VIC 3280
 - 150 Horne Road Warrnambool VIC 3280
 - 235 Horne Road Warrnambool VIC 3280
 - 53 Rodgers Road Warrnambool VIC 3280
 - 250 Wangoom Road Warrnambool VIC 3280
 - 270-288 Wangoom Road Warrnambool VIC 3280

- Applies Clause 45.03 Environmental Audit Overlay to the properties within the precinct that are nominated as having high potential for contamination.
- Inserts Schedule 3 to Clause 45.06 Development Contributions Plan Overlay and applies the overlay to all land zoned Urban Growth Zone Schedule 1.
- Amends the Schedule to Clause 53.01 to include a public open space contribution when land within the precinct is subdivided.
- Amends the Schedule to Clause 72.03 Schedule to What does this Planning Scheme Consist of? to update the list of maps for this draft amendment.
- Amends the Schedule to Clause 72.04 Schedule to the Documents Incorporated in this Planning Scheme to incorporate four new documents:
 - East of Aberline Precinct Structure Plan, August 2025,
 - East of Aberline Development Contributions Plan, August 2025,
 - Statement of significance: 174 Aberline Road, Warrnambool, August 2025,
 - Small Lot Housing Code, November 2019, and
 - Small Lot Housing Code, November 2024.

Strategic assessment of the amendment

Why is the amendment required?

The East of Aberline PSP is included in Victoria's Housing Statement, The Decade

Ahead 2024-2034 as a priority planning project for growing suburbs in Regional Victoria. The proposed draft amendment is required to implement this priority and the recommendations of the Planning Scheme relating to future residential development.

The *Warrnambool Strategic Framework Plan* at Clause 2.04 – Strategic Framework Plans of the Planning Scheme identifies the precinct as being within the urban settlement boundary and a Future Urban Growth Corridor. The *Warrnambool City-wide Housing Strategy* (2013) identifies East of Aberline Road (North-East Warrnambool) as one of Warrnambool's future long-term greenfield growth areas to address the city's low residential land supply.

This is reflected in the objectives and strategies of Clause 11.01-1S – Settlement, Clause 11.01-1R – Settlement - Great South Coast (including the Great South Coast Regional Growth Plan 2014) and Clause 11.02-2S – Structure planning in the Planning Scheme, which provide further direction for planning in regional Victoria.

This draft amendment is required to facilitate expected growth by rezoning land within Warrnambool's settlement boundary and logical extensions of this boundary, which are currently zoned for farming purposes to land that can be developed for residential purposes as envisaged by the PSP. The PSP, DCP and associated planning controls proposed as part of this draft amendment allow for greater certainty in planning decisions, greater certainty about the location of services, and a plan for contributions towards shared development and community infrastructure required to service the precinct.

How does the amendment implement the objectives of planning in Victoria?

The PSP will guide development for the precinct and residential growth for approximately 4,500 dwellings to accommodate a population of approximately 12,000 residents. The precinct is expected to create a minimum average density of 20 dwellings per net developable hectare in amenity areas and a minimum average density of 16 dwellings per net developable hectare in all other areas. The precinct will include a neighbourhood activity centre, local community facilities, a network of local parks, a future government school, and a site for a potential non-government school.

The draft amendment will facilitate the development of land and will provide for the efficient and sustainable servicing of the land.

The draft amendment implements a number of the objectives of planning in Victoria under Section 4 of the *Planning and Environment Act 1987 (Act)*. In particular:

- *To provide for the fair, orderly, economic and sustainable use and development of land*

The draft amendment will ensure the fair and equitable provision of community and

development infrastructure by enabling the PSP and DCP to be implemented and incorporated into the Planning Scheme.

The new precinct will accommodate a residential population with access to the facilities, amenities, business opportunities and cultural life of Warrnambool. It will also be provided with good access to existing services and transport modes. The precinct itself will provide a bus capable road network, public open space, community facilities, education facilities and a local town centre.

While the PSP set out the high-level intentions for a precinct, and provide detailed information setting out the required transport, drainage and community infrastructure required to serve a precinct, there is often a time-lag or disconnect between the delivery of land for residential, commercial or industrial development and the delivery of necessary infrastructure needed to service the development of the precinct. The Victorian Planning Authority is seeking to address this issue by including specific Requirements and Guidelines, and an Infrastructure and Development Staging Plan that clearly set out the intended staging of development as infrastructure is delivered.

- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*

Conservation investigation studies by Ecology and Heritage Partners Pty Ltd (Draft Existing Ecological Conditions: East of Aberline Growth Corridor, Warrnambool , Victoria 2024) found the study area is highly modified, with key ecological values largely limited to the Tozer Reserve and Russells Creek corridor. Tozer Reserve will be protected as a conservation area, and the Russells Creek Corridor will be protected as public open space.

The precinct will support the enhancement of ecological values and protect biodiversity corridors, particularly along Russells Creek and Tozer Reserve. A restored and interconnected habitat network will support the recolonisation of threatened species such as the Growling Grass Frog, while fostering broader environmental resilience. Conservation areas will provide vital ecological functions, incorporating wetland restoration, terrestrial habitat buffers, and hydrological enhancements to sustain local fauna and flora.

- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The draft amendment facilitates the development of the precinct in accordance with the PSP, which provides a primarily residential future urban structure, complemented by a network of local parks, road reserves and green links to contribute to the creation of a pleasant living and recreational environment for the community and visitors.

The PSP provides adequate road connectivity, a bus capable road network and a comprehensive walking and cycling network.

- *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

Development occurring within 200 metres of the Russells Creek will require the preparation of a Cultural Heritage Management Plan in accordance with the requirements of the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018*.

The PSP requires development within and adjacent to identified heritage places to have regard to their heritage significance and be designed sensitively.

- *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

The draft amendment ensures that servicing of the new urban development will be of sufficient capacity to ensure all households are connected to reticulated water, sewer and electricity.

Drainage infrastructure will be upgraded to cater for urban development and allow for natural flows into retarding basins or wetlands. The precinct will benefit from integrated water management measures including a requirement that all residential subdivisions within the precinct to connect to a roof water harvesting scheme.

The PSP encourages transport choice and a reduction in private car use by providing a well-connected network that provides for the creation of pedestrian and bicycle paths across the precinct including bus capable roads connected to adjoining existing neighbourhoods.

The application of the Public Acquisition Overlay for drainage infrastructure, community facilities, and transport infrastructure will ensure land is appropriately reserved for future public purposes. It will ensure that Council can compulsorily purchase land to realise necessary shared infrastructure when it is required. This will ensure certainty about the necessary infrastructure items required to be provided for the development of the precinct, and the location of infrastructure. Council has requested the application of the Public Acquisition Overlay and are proposed to be the acquiring authority.

- *To balance the present and future interests of all Victorians.*

The draft amendment proposes to implement the PSP to provide residential development and variety in housing opportunities to accommodate the population growth of the municipality, including accompanying social and recreational infrastructure.

Infrastructure required to service the precinct will be partially funded by development contributions for items identified in the Development Contributions Plan. This approach will ensure that those benefitting from the infrastructure upgrades will contribute to the cost as opposed to the financial burden being borne by public

expenditure.

It also provides land needed to accommodate the expected future population growth.

How does the amendment address any environmental, social and economic effects?

Environmental effects

The draft amendment identifies vegetation to be protected and retained where appropriate, informed by a biodiversity and arborist report. The study area is highly modified, with key ecological values largely limited to the Tozer Reserve and Russells Creek corridor. The draft amendment will protect and enhance both these areas through provisions for restoration and enhancement.

Stormwater flows will be managed through an integrated system that aims to manage flows beyond the precinct to be generally kept to pre-development levels.

Distribution of open space throughout the precinct ensures a 400m walkable catchment for residential properties.

A land capability assessment was conducted by Beveridge Williams (*Land Capability Assessment East of Aberline PSP May 2025*) to determine whether there was any land in the precinct that may be potentially contaminated. The report identifies several lots as having either a medium or high risk of contamination. The identification of potential contamination has been further refined through PRSA undertaken following the land capability assessment. This has resulted in some lots no longer being identified as having a potential for contamination. The completed PRSA are publicly accessible via the EPA website.

The draft amendment includes an application requirement in the UGZ1 for either a PRSA, environmental audit statement or certificate of environmental audit to accompany an application to use or subdivide land or construct a building or carry out works for a sensitive use on land for lots identified as having a medium potential for contamination.

The draft amendment proposes to apply the Environmental Audit Overlay (EAO) to area identified as having a high potential for contamination in the assessment.

The following measures ensure that potential flooding will be managed across the precinct:

- Applying the Flood Overlay to parts of the precinct to ensure no new development in areas subject to high flood hazard risk.
- Applying the Land Subject to Inundation to parts of the precinct to ensure any buildings and works are appropriately designed to minimise potential flood damage.
- Use retarding basins and constructed waterways to ensure flooding is not increased upstream or downstream of the precinct due to the drainage assets

proposed in the PSP.

The amendment will also contribute towards increased transport choice and potential reductions in private car use as the precinct establishes. The precinct is also designed with access to future potential bus routes.

Economic effects

The draft amendment will generate economic activity and employment in the planning, design and construction phases for residential and commercial uses.

The PSP includes a neighbourhood activity centre providing approximately 7,700 m² of shop floor space, community facilities and a future government school. It will also increase the ongoing economic vitality of the town through supporting population growth close to the Warrnambool township.

Social effects

The draft amendment is expected to generate positive social benefits for the municipality through the provision of an increase in and variety of residential development and best practice provision of infrastructure and community facilities.

The structural elements of the PSP are interlinked to facilitate an attractive built environment, a strong community and a sense of place for the precinct. Planning for the growth of the community, including the provision of social and physical infrastructure such as parks and local convenience centres, and the close spatial relationship with the urban area of Warrnambool will assist in the creation of a sense of place by fostering social interaction within the immediate and wider community.

Development staging seeks to align the subdivision and development of the PSP with the required infrastructure delivery to ensure that new communities have timely and coordinated access to transport and community infrastructure.

Does the amendment address relevant bushfire risk?

The precinct is designated as a Bushfire Prone Area. Tozer Reserve and surrounds are also covered by the Bushfire Management Overlay (BMO).

Bushfire protection measures have been implemented through the East of Aberline PSP to ensure the safety of the community. The PSP has been designed to achieve all strategies and objectives of Clause 13.02-1S of the Scheme.

The draft amendment sets out fire management planning controls that will ensure that the fire risk is managed during the staging of development across the precinct. These controls will work in combination with new building regulations and standard bushfire risk management provisions in a manner suitable for an area transitioning from rural to urban land uses.

This approach to bushfire is consistent with Planning Policy Framework as it ensures development is appropriately located with adequate access and egress for future residents and emergency service vehicles. Further, the PSP ensures that the

population being directed within this precinct is in a location that can achieve a radiant heat flux of less than 12.5 kilowatts/square metre under *AS 3959-2018 Construction of Buildings in Bushfire-prone Areas*.

A bushfire assessment was prepared by Terramatrix (Bushfire Report June 2025) to identify existing hazardous vegetation and the actions required by the draft amendment to address the bushfire risk. The proposed East of Aberline PSP implements the findings of the bushfire assessment.

Furthermore, a standard requirement within the Urban Growth Zone Schedule 1 specifies that an application for residential subdivision must be accompanied by a Bushfire Management Plan that assesses bushfire risk during and where appropriate after, construction of subdivision works and specifies vegetation-building setbacks (defendable space) where bushfire risk is managed, consistent with the separation distances specified in AS3959-2018.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The draft amendment complies with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The draft amendment also complies with the following relevant Ministerial Directions:

Direction No. 1 Potentially Contaminated Land

A land capability assessment was prepared by Beveridge Williams (*Land Capability Assessment May 2025*) to determine whether there is any land in the precinct that may be potentially contaminated. The report found several lots to contain either medium or high potential for contamination.

Further preliminary risk screen assessments (PRSA) were undertaken for sites identified as having a high potential for contamination. The draft amendment proposes to apply the EAO to areas within the cadastral boundaries of these properties consistent with prepared PRSAs.

For lots within the PSP that were identified as having a medium potential for contamination, an application requirement is included in Schedule 1 to the Urban Growth Zone for these sites that requires a PRSA to be prepared for any application to develop or use the land for a sensitive use.

The Victorian Planning Authority acknowledge that Ministerial Direction 1 states the planning authority must ensure an environmental auditor has issued a PRSA prior to giving notice of the amendment. Ministerial Direction 1 at section 6(3) states that '*where a planning authority determines that complying with subclause (1) or (2) is difficult or inappropriate it may defer the requirements of those subclauses provided the requirement are included in the amendment through the application of an Environmental Audit Overlay or other appropriate measure*'.

Planning Practice Note 30 also states that meeting an environmental audit requirement prior to amendment is preferred, while acknowledging that in some instances this will be difficult or inappropriate, for example where *'the rezoning relates to a large strategic planning exercise or involves multiple sites in separate ownership'*.

It was determined it would have been inappropriate to undertake an environmental audit upfront at the strategic planning stage for the entire precinct given the size of the precinct and the fragmentation in ownership of the land. Where environmental audit requirements have not been undertaken, these are deferred to the planning permit stage. This is an appropriate response to Ministerial Direction 1, with the amendment addressing Clause 6(3) of Ministerial Direction 1 and Planning Practice Note 30.

Direction No. 11 – Strategic Assessment of Amendments

This direction seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This explanatory report addresses the requirements outlined in this direction.

Direction No. 12 – Urban Growth Areas

Parts 4, 5 and 6 of the Ministerial Direction 12 requires that when preparing an amendment to introduce or change provisions in a schedule to the UGZ, a planning authority must evaluate and include in the explanatory report a discussion about:

- *How the amendment implements any Growth Area Framework Plan applying to the land*

The *Great South Coast Regional Growth Plan 2014* identifies the majority of land within the PSP area as an identified growth area. The *Warrnambool City-wide Housing Strategy 2013* also reflects the strategic objectives for this precinct consistent with the *Great South Coast Regional Growth Plan 2014*. The draft amendment is consistent with these strategic growth plans as the PSP sets aside the majority of land within the precinct for residential development

- *How does the amendment accord with the Precinct Structure Planning Guidelines*

The Precinct Structure Planning Guidelines 2021 (the Guidelines) note that a more nuanced approach to the application of the Guidelines in regional contexts is required. Whilst the principles, features and targets of the Guidelines should be considered in a regional context, the Guidelines allow for the consideration of regional adaptation of key targets where appropriate.

It should be noted that adaptation to the Guidelines will be discussed with Warrnambool City Council including where variations in certain situations are appropriate in the context of the East of Aberline precinct. A response to each hallmark and justification for where regional adaptation is proposed is provided below.

Hallmark 1: Viable Densities

Viable densities will be achieved through a range of housing densities and products, guided by the differentiation of residential areas based on their locational advantages.

The PSP at Table 1 and Table 2 provides an anticipated lot yield (density) for the PSP and guidance on how to achieve housing diversity by providing a broad range of housing types on varied lot sizes. These measures will facilitate development that achieves higher densities in the areas within the 'walkable catchment' and provides a variety of lots and housing types at varying sizes and price points.

The PSP proposes to achieve a minimum average density of between 18 - 20 dwellings per net developable hectare within 'housing choice areas' and between a minimum average density of 12-15 dwellings per net developable hectare in other areas. Whilst the densities proposed represent a variation to the Guidelines, these densities are considered appropriate within the context of Warrnambool.

Hallmark 2: Safe, Accessible and Well Connected

The PSP is well serviced through the provision of walking and cycling paths, especially alongside identified drainage corridors which provide active transport connections to key destinations across the PSP area.

The PSP is also well connected to regional destinations via the provision of the Principal Public Transport Network. Approximately 97 per cent of dwellings will be located within 400 metres walking distance of a future bus capable road, which is in accordance with the Guideline target of 95 per cent.

Hallmark 3: Connect People to Jobs and Higher Order Services

Active transport links are provided within the precinct to help facilitate inter-precinct movements between jobs and residents.

The local town centre, community facilities, and future government school to be provided within the precinct, in conjunction with home-based occupations will provide local employment opportunities.

A Retail and Economic Assessment has been prepared by Urban Enterprise (Retail and Economic and Assessment July 2025) which recommends a neighbourhood activity centre of approximately 7,700 square metres floorspace be provided to service the commercial needs of the local population.

Hallmark 4: Offer High-Quality Public Realm

The precinct is well serviced by high quality open space. It allows for 97% of dwellings to be within 800m of a sports reserve or open space and 99% of dwellings within 400m of a local park.

The total provision for credited open space is 7.77% of net developable area or 20.91 hectares, which is lower than the PSP target of 10% of net developable area. The total credited open space provision comprises of 4% for local parks consistent

with the PSP target of 3-5% and 4% sports reserves, which is lower than the PSP target of 5-7%.

The PSP also sets aside approximately 71 hectares or 17.3% of uncredited open space for conservation and waterway and drainage areas, which in the future may will be accessed in some areas for passive recreation.

Hallmark 5: Services and Destinations

The PSP will provide facilities for local residents, as well as a variety of local parks throughout both the residential and employment areas. These present multiple opportunities for future residents to have access to recreational activities.

Hallmark 6: Thriving Local Economies

A neighbourhood activity centre is proposed in the north-eastern portion of the precinct and will cater for the basic daily needs of the local community. The precinct will be well-connected via a road network throughout the precinct which will integrate with the existing road network and be readily accessible to existing activity centres, including the Eastern Activity Centre and the Warrnambool City Centre. The PSP will support the delivery of a range of goods and services to support residents, workers, visitors and businesses.

Hallmark 7: Infrastructure Coordination

The East of Aberline DCP will ensure that basic and essential infrastructure will be provided to future residents in an appropriate and timely manner. The PSP also includes guidance on development fronts to facilitate the logical roll-out of infrastructure in the precinct.

- *In introducing or changing provisions in a schedule to the Urban Growth Zone, how the provisions give effect to the intended outcomes of the precinct structure plan.*

Most provisions in the incorporated documents and associated planning scheme ordinance are designed to be implemented at the subdivision development stage. These requirements and guidelines are either addressed in subdivision plans (e.g. spatial outcomes), implemented through permit conditions (e.g. development contributions), and/or implemented through referral authority agreements (e.g. essential services).

This approach provides for a single permission after approval of the PSP, which is central to providing certainty, clarity and timeliness in the planning process. As noted above, the PSP includes Requirements and Guidelines, an Infrastructure and Development Staging Plan that clearly set out the intended roll out of development as infrastructure is delivered.

- *How a translation of provisions can be achieved, once development anticipated by the precinct structure plan is substantially complete.*

Land use planning outcomes introduced into the Planning Scheme by this draft

amendment will be delivered through subdivision permits prior to translation of the PSP to standard provisions. Subdivision permits will implement most of the non-standard provisions. An assessment of how development has proceeded and the use of relevant Victoria Planning Provisions, such as the applied zones in the Schedule 1 to the Urban Growth Zone will provide guidance as to how the translation of the zone provisions can be applied.

Direction No. 19 – Ministerial direction on the preparation and content of amendments that may significantly impact the environment, amenity and human health

The Environment Protection Authority (EPA) views have informed this draft amendment and the PSP. The views of the EPA were provided on 14 February 2025 and 7 August 2025.

Potentially Contaminated Land.

The EPA advocate for the application of the Environmental Audit Overlay on high and medium PCL sites, if it is difficult or inappropriate to meet the audit system requirements at the time of amendment. The VPA do not support this approach for medium PCL sites and has worked closely with the EPA to find another appropriate measure consistent with Ministerial Direction No 1 (MD1).

Schedule 1 to Urban Growth Zone provisions require the preparation of a PRSA or environmental audit for use or development of a site for a sensitive use on a site identified as having a medium potential for contamination. This ensures the risk of potentially contaminated land is assessed at the time a permit is considered. This avoids unintended consequences and onerous obligations being imposed by the Environmental Audit Overlay on landowners who seek to continue to operate on their land as they currently exist.

Where sites are identified as having a high potential for contamination the Environmental Audit Overlay (EAO) has been applied. Where an upfront PRSA has been undertaken the EAO has been applied to the spatial extent of contamination identified rather than the cadastral boundary of the lot.

Where an environmental audit is triggered and makes recommendations in relation to ongoing risks, uses, controls, management, and monitoring actions, provisions are included in the Urban Growth Zone schedule to give effect to such recommendations.

The EPA recognises that deferral of the requirement for a PRSA or audit is available to planning authorities where these assessments are difficult or inappropriate to do at the time of the amendment. The EPA has recommended that any alternative deferral instrument should provide maximum visibility and transparency, and that any updates to the EAO should be reflected in other appropriate measure used.

The PSP will include mapping showing sites that are identified as having a medium or high potential for contamination. This is to be read with the provisions within the

Urban Growth Zone Schedule 1. The provisions mirror the current EAO provisions to ensure that potentially contaminated land is considered at the time of development.

Sodic Soils

EPA recommends the Victorian Planning Authority undertake a sodic soils assessment at the time of amendment to address any potential impact of sodic soils across the precinct. The EPA suggested that soil testing would allow for more targeted application requirements with respect to managing sodic soils and is consistent with principles *Environment Protection Act 2017*.

The risks identified by the EPA are acknowledged, however, the proposed conservative approach taken in the draft amendment ordinance will sufficiently address sodic soils at the planning permit stage as opposed to the strategic planning stage as suggested by the EPA.

Noise

Measures within the Urban Growth Zone Schedule 1 to address amenity impacts associated with noise from adjacent Horne Road industrial precinct. The provisions address comments raised by the EPA.

Air Emissions

An Adverse Amenity Impact Assessment (GHD 2025) identified three potential sources of air emissions to the precinct. The AAIA supported a variation to the default separation distance to two of these sources, being an asphalt plant and a waste transfer station. The varied separation distances for both these uses no longer encroach into areas identified for sensitive uses within the precinct. The AAIA also identified that the default separation distance for a concrete batching plant will no encroach into the precinct. The EPA is satisfied that the PSP adequately addresses land use conflict between existing uses and proposed uses in the PSP.

S46m(1) - Direction on Development Contributions Plan

This direction directs planning authorities in relation to the preparation and content of a Development Contributions Plan.

The East of Aberline DCP has been prepared consistent with this direction.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment represents an integrated decision-making process that balances the following objectives of the relevant State planning policies:

Clauses 11.01 Victoria, 11.02 Managing Growth, 11.03 Planning for Places – The draft amendment facilitates the orderly planning and delivery of land for residential development that has been identified for growth in a regional area by way of preparing a PSP to direct how the precinct will accommodate growth, and the relevant infrastructure required to support this growth.

Clauses 11.02 and 11.03 lists the *Precinct Structure Planning Guidelines: New Communities in Victoria* (Victorian Planning Authority, 2021) as a policy document to consider. A response on how the amendment accords with the *Precinct Structure Planning* Guidelines is provided earlier in this explanatory report. Further to this response, the PSP sets out an orderly structure for development of the precinct including the location and function of a neighbourhood activity centre taking into account the existing and planned network of activity centres in the region; introducing residential and commercial zoned land to supply and encourage urban growth; incorporating a network of local parks for the future community; and, providing developable land within good proximity to existing and future planned amenities, services and infrastructure.

Clause 11.01-1S Settlement outlines a strategy to plan for the delivery of 2.24 millions homes across Victoria by 2051, with a focus of investment and growth in regional cities including Warrnambool to guide this growth. Clause 11.01-1S lists *Plan for Victoria* (Department of Transport and Planning, 2025) and *Victoria's housing Statement – The Decade Ahead 2024-2034* (Department of Premier and Cabinet, 2023) as policy documents to consider.

Plan for Victoria identifies Warrnambool as a Regional City and sets a housing target for the Warrnambool of 7,200 new homes across the municipality by 2051. East of Aberline is identified as a regional greenfield project.

Victoria's housing Statement – The Decade Ahead 2024-2034, nominates the East of Aberline PSP as a priority project to support the growing population of Regional Victoria which contributes to the Housing Statement's target to provide 60,000 homes across 21 priority projects in Victoria.

This draft amendment implements the strategies of *Clause 11.01-1R Settlement - Great South Coast* with a PSP that facilitates the primarily residential growth in accordance with the *Great South Coast Settlement Framework*.

Clause 12.01 Native vegetation management – The PSP identifies vegetation to be retained and areas of vegetation that are appropriate for removal to accommodate development.

Clause 12.01-1L Warrnambool Biodiversity – The policy provides strategic direction for the protection Tozer Reserve as an important remnant native grassland and appropriate development within the Russells Creek corridor.

Clause 13.02 Bushfire – The PSP has responded to the requirements of Clause 13.02 (Bushfire) of the Planning Policy Framework through provisions and requirements incorporated into Schedule 1 to the Urban Growth Zone. Bushfire risk in the precinct will also be managed through an existing Bushfire Management Overlay and the *Building Regulations 2006*.

Clause 13.03-1S Floodplain Management – The amendment identifies land in the precinct affected by flooding and applies the Land Subject to Inundation Overlay and

Floodway Overlay to areas of greatest risk. The amendment also provides for infrastructure to accommodate flooding and stormwater management, including seven drainage basins and a 30-metre-wide riparian habitat buffer or biolink either side of the creek. This is also consistent with Clause 13.03-1L which seeks to integrity of the Russells Creek floodplain including incorporating the floodplain as areas of public open space.

Clause 13.04 Soil degradation – The amendment responds to this clause as described earlier in this report.

Clauses 13.05 Noise – The PSP provides for the consideration of noise from existing and future sources within the identified noise influence area by requiring proponents to demonstrate the appropriateness of a proposed use relative to noise impacts that may be experienced on-site. Decision guidelines are also included to allow due consideration of these issues as part of permit applications for future development.

Clause 13.07 Amenity, Human Health and Safety and Clause 13.07-1S Land Use Compatibility – As noted in the response to Ministerial Direction No.19 above, the amendment has been prepared to appropriately consider the amenity, health and safety of future residents and to manage potential land compatibility issues.

Clauses 15.01 Built environment - The draft amendment seeks to implement the PSP to guide urban development for a liveable and diverse community that integrates with and is well-contacted to existing and establishing communities. The PSP provides a future urban structure that outlines a well-designed subdivision pattern and transport network that fosters more sustainable modes of transport, a safe public environment, a network of public open space, and a diverse housing stock to attract a diverse community.

Clause 16.01 Residential Development – The PSP plans for residential land of varying densities, with access to services, employment opportunities, community infrastructure and open spaces. The PSP will contribute to achieving housing target identified in this clause.

Clauses 17.02 Commercial – The draft amendment provides a neighbourhood activity centre, essential services and potential employment opportunities for residents within the precinct.

Clauses 18.01 Integrated Transport, 18.02 Movement networks – The PSP plans for a transport network that is well-integrated with the existing surrounding network. The proposed road network provides a robust structure for traffic and transport movement within and through the precinct.

Clause 19.02 Community Infrastructure, 19.03 Development Infrastructure – The draft amendment proposes to incorporate a Development Contributions Plan into the Warrnambool Planning Scheme. The Development Contributions Plan outlines what development and community infrastructure are to be funded by landowners in the precinct.

How does the amendment support or implement the Municipal Planning Strategy?

The draft amendment supports the Municipal Planning Strategy, including the strategic vision and directions outlined in Clause 02.02 – Vision of the planning scheme, as follows:

Clause 02.02 Vision outlines Council's adopted vision for Warrnambool as a cosmopolitan city by the sea. The proposal is consistent with the land use planning objectives outlined in the Council Plan as the proposal will maintain the natural environment and contribute to a welcoming city by providing a proposal consistent with the existing neighbourhood character.

Clause 02.03-1 Settlement - the draft amendment unlocks land for housing in Warrnambool and includes provisions that promote housing diversity. Residential growth will be delivered in line with necessary infrastructure through the incorporation of a Development Contributions Plan. The precinct is predominantly within the East of Aberline Road Future Urban Growth Corridor. The draft amendment will expand this area to reflect logical inclusions in line with the precinct boundary.

Clause 02.03-3 Environmental risks and amenity – the draft amendment identifies the need to manage risks including floodplain management, soil degradation, land use conflict and bushfire.

Clause 02.03-5 Built form and heritage – the draft amendment supports ecologically sustainable development and identifies the need to conserve places of heritage significance.

Clause 02.03-7 Economic development – the draft amendment plans for retail facilities to serve the precinct and broader area and manages potential conflict between industrial/residential interfaces.

Clause 02.03-8 Transport and Infrastructure – the draft amendment supports an integrated transport network within and beyond the precinct to facilitate the safe and efficient functioning of all modes of transport. The draft amendment facilitates a coordinated, efficient and equitable approach to the provision of infrastructure and community facilities through the implementation of the DCP.

Clause 2.04 Strategic framework plan: identifies the East of Aberline PSP area to be located within a Future Urban Growth Corridor. As noted above, this framework plan is proposed to be updated to encompass the entire precinct.

The draft amendment aims to meet the strategic incentives of this clause by providing a robust framework for the delivery of new residential land allowing for diverse housing opportunities, community facilities and schools within the precinct.

Does the amendment make proper use of the Victoria Planning Provisions?

The draft amendment meets the form and content requirements of the Victoria Planning Provisions. The Urban Growth Zone is the most appropriate tool to apply the relevant suite of Victoria Planning Provision conventional zones to guide future use and development of the precinct through the specification of conditions and requirements for permits. In addition, the Development Contributions Plan is the appropriate mechanism to give effect to the Development Contributions Plan.

How does the amendment address the views of any relevant agency?

The draft amendment has been prepared in consultation with relevant agencies including:

- Council Alliance for a Sustainable Built Environment
- Country Fire Authority
- Department of Education
- Department of Energy, Environment and Climate Action
- Department of Justice and Community Safety Victoria
- Department of Transport and Planning
- Eastern Maar Aboriginal Corporation
- Environmental Protection Authority
- Fire Rescue Victoria
- Glenelg Hopkins Catchment Management Authority
- Heritage Victoria
- Sustainability Victoria
- Tozer Reserve Management Committee
- Wannon Water
- Warrnambool City Council

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The Victorian Planning Authority in itself and acting as a planning authority is an 'interface body' under the Transport Integration Act 2010. Under Section 25 of that Act:

(1) An interface body must have regard to the transport system objectives when exercising powers and performing functions under any interface legislation which are likely to have a significant impact on the transport system.

(2) An interface body must have regard to the decision making principles in making decision under any interface legislation which are likely to have a significant impact on the transport system.

The draft amendment is likely to have a significant impact on the transport system at a local level. Upgrades will be required to nearby parts of the road network to enable connectivity to a new local road network within the precinct and contribute to the

development of the bus network in the area.

The proposed additions and changes to the existing transport system in and surrounding the PSP area will meet the transport system objectives by:

- Enabling efficient access to existing and planned employment and services in and around the local area and region through connections to the arterial road network and planned extensions to bus services.
- Transport development infrastructure provided for via the Development Contributions Plan will be provided as sufficient demand arises for the relevant infrastructure item and provides the opportunity for the efficient construction of items concurrent with subdivision and development.
- Involving relevant government bodies involved in the provision of transport infrastructure and services in the decision making process of the amendment.
- The draft amendment will include a staging plan to manage long term development infrastructure capacity and service provision.

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrong)* Act 2017 in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

The *Yarra River Protection (Wilip-gin Birrarung murrong)* Act 2017 sets out that a planning authority must have regard to the principles in Part 2 of that Act when performing functions or duties or exercising powers in relation to Yarra River land or other land, the use or development of which may affect Yarra River land.

The precinct is not within land identified as Yarra River land or other land identified at Part 3 of the *Yarra River Protection (Wilip-gin Birrarung murrong)* Act 2017.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The draft amendment is expected to have minimal impact on the resources and administrative costs of the responsible authority. The incorporated Precinct Structure Plan will facilitate the orderly and proper planning of the area and appropriately allows for a reduction of notice provisions for future planning permit applications.

Attachment 1 – Mapping reference table

| Location | Land /Area Affected | Mapping Reference | Address | Proposed Zone changes | Proposed Overlay changes | Proposed deletion changes |
|--|-----------------------------------|---|--|---|--|---------------------------|
| East of Aberline Precinct Structure Plan | Entire precinct | C217warr Map Nos. 7ZN, 10ZN and 14ZN | Numerous | Rezone precinct to Urban Growth Zone Schedule 1 | | |
| East of Aberline Precinct Structure Plan | 174 Aberline Road, Warrnambool | C217warr Map Nos. 7HO, | 174 Aberline Road, Warrnambool | | Heritage Overlay Schedule 381 | |
| East of Aberline Precinct Structure Plan | Entire precinct | C217warr Map Nos. 7DCPO, 10DCPO and 14DCPO | Numerous | | Development Contributions Overlay Schedule 3 | |
| East of Aberline Precinct Structure Plan | Various sites within the precinct | C217warr 7EAO, 10EAO and 14EAO | Numerous | | Environmental Audit Overlay | |
| East of Aberline Precinct Structure Plan | Various sites within the precinct | C217warr Map Nos. 7PAO, 10PAO and 14PAO | 31 Boiling Down Road, Warrnambool 60 Boiling Down Road, Warrnambool 75 Boiling Down Road, Warrnambool 79 Boiling Down Road, Warrnambool 105 Boiling Down Road, Warrnambool 135 Boiling Down Road, Warrnambool 140 Boiling Down Road, Warrnambool 174 Boiling Down Road, Warrnambool 80 Aberline Road, Warrnambool 150 Horne Road, Warrnambool | | Public Acquisition Overlay Schedules 1 - 14 | |

| Location | Land /Area Affected | Mapping Reference | Address | Proposed Zone changes | Proposed Overlay changes | Proposed deletion changes |
|--|-----------------------------------|-------------------|---|-----------------------|------------------------------------|---------------------------|
| | | | 235 Horne Road, Warrnambool 53 Rodgers Road, Warrnambool 250 Wangoom Road, Warrnambool 270-288 Wangoom Road, Warrnambool | | | |
| East of Aberline Precinct Structure Plan | Various sites within the precinct | C217warr | Numerous | | Land subject to Inundation Overlay | |
| East of Aberline Precinct Structure Plan | Various sites within the precinct | C217warr | Numerous | | Floodway Overlay | |