

AMENDMENT C188 - QUARRY HILLS PSP 1094

Unresolved Submissions - summary & MPA response

Sub. #	Affected property / properties	Issue Raised	Is a change to the amendment requested?	MPA Comment / Proposed Outcome	ACTION	STATUS
	INSERT SUBMITTER NAME					
4	Tract Consultants on behalf of Boral Resources - Ben Daly	6) To avoid any sensitive uses being 'as of right' in the applied General Residential Zone that applies to the majority of the PSP, including the quarry buffer and quarry site, the PSP should apply a different zone to this area. This could then be rezoned to UGZ3 after the cessation the site's operation.	Yes - PSP	The MPA do not think its suitable to apply a different zone to this land. The underlying applied zones represent the ultimate land uses. Sensitive land uses will not be as of right, as the buffer will trigger the planning permit, and resultant referral to DEDJTR. It is also noted that the land has been identified for urban development and as such the applied zoning should reflect urban uses. The quarry operations can benefit from existing use rights for ancillary uses.	No action	Unresolved Refer to panel
		7) The MPA should fully investigate the quarry area topographical and geotechnical constraints before the incorporation of the PSP to ensure rehabilitation and regeneration of the site is considered.		The MPA considered undertaking a report like this during the pre-planning stage of the PSP, however it was considered that this would be better prepared once the quarry has ceased operation and rehabilitation has occurred. Boral also have an obligation to ensure that the area is suitable as per the EPA requirements and submit those findings to DEDJTR.	No action	Unresolved Refer to panel
		9) The DCP rate of \$294,980 (including community infrastructure) is questionable with respect to the commercial viability of development in this location.	Yes - DCP	The MPA are reviewing the costs associated with the significant infrastructure items within the DCP however the MPA are not proposing to remove any items from the DCP. The items that are being reviewed are the specs for Harvest Home Road bridge crossing.	Further review/discussion required	Unresolved Refer to panel

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4b	Email from Boral to CoW - 7/8/15	10) Wish to protect short -medium term operations. Provided a site plan showing a blue area where the potential adverse amenity impacts occur. They claim that the PSP should show not just the quarry pit, rather all site operations e.g. crushing plant, haul road. However plan appears to address this concern.		Do not agree that this information should go in the PSP for reasons discussed earlier with regard to the ultimate land use for the precinct. This information could go in the background report.	No action	Unresolved Refer to panel
5	Spiire on behalf of Stockland	1) Stockland seek further guidance from the MPA for development within the Extractive Industry Buffer Area based on technical evidence. Requests MPA undertake additional investigations regarding the impacts of an active quarry on development within the precinct prior to finalising the PSP.	Yes - PSP	The MPA are satisfied with the background work undertaken to date. It is the responsibility of the development proponent to undertake additional investigations relating to the suitability of their land for development. The landowner has had the option to prepare a subdivision layout through a ghost permit process which could be discussed with DEDJTR. It is understood by the MPA that the landowner has not progressed with any plans to determine the impact of the buffer on their development.	No action	Unresolved Refer to panel
		3) The overall form of the proposed crossings across the Darebin Creek which account for 50% of all costs in the PSP and DCP needs to be reviewed in light of providing an ecological and functional outcome (i.e. 'frog friendly' and suitable hydraulic function for the 1 in 100 year ARI event).	Yes - DCP	The creek crossings will continue to be reviewed with MW and DELWP (environment) prior to Panels. 30/9/15 Feedback to DELWP from MPA will be provided regarding the crossings. MPA's position firmed next week and then conveyed to CoW	Further review/discussion required	Decision pending further review
		4) The Scope of CR-03 (construction of culvert/ bridge over waterway) is not defined and does not have definitive support from DELWP (Environment) and Melbourne Water.	Yes - PSP / DCP	Agree. This matter will continue to develop prior to Panel.	Further review/discussion required	Decision pending further review
		5) The DCP should only fund a culvert solution to the creek crossings and the Biodiversity Conservation Strategy (BCS) fund the difference of culverts and bridge crossings should DELWP and MW insist on bridge crossings.	Yes - DCP / PSP	The BCS is currently not drafted to provide specific funds for projects where they impact in the creek corridors. This is a matter than can be raised with DEWLP.	Further review/discussion required	Decision pending further review

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		9) Oppose the inclusion of two local roads in the DCP (RD-04 Whitebark Street Extension and RD-05 Local Road portion of Illani Street) as there is no nexus for these roads for the wider population of the PSP.	Yes - DCP	These have been funded due to their importance in providing access and connectivity to the PSP area and the limited impetus on private developers to construct these roads.	No action	Unresolved Refer to panel
		10) The PSP should consider the impacts of the E6 - OMR Corridor with regards to the necessity or design of infrastructure.	Yes - PSP	The PSP has considered the impacts of the E6 corridor. Vic Roads have not offered any objection to the proposed road network and will need to take the road infrastructure into consideration in the detailed design of the E6 in the future.	No action	Unresolved Refer to panel
6	Best Hooper Lawyers on behalf of Findon Pastoral Co Pty Ltd.	2) The readjustment of the GGF Conservation Area to allow for greater developable land remains unresolved with DELWP (Environment).	Yes - PSP	Noted. This is a matter for the submitter to pursue with DELWP (Environment). MPA was advised by DELWP in 2014 that this would not change the GGF conservation area. This would be a federal decision as it is a BCS area.	No action	Unresolved - Matter of Federal significance - beyond the Panel's scope
		3) The client requests confirmation that they will not have to provide further justification for developing the land for residential purposes for land within the EIBZ to the DEDJTR.	No	This cannot be confirmed, as DEDJTR will determine what information they require at the permit stage. Further information to this effect is being provided within the PSP.	No action	Unresolved Refer to panel
		4) There is concern over the land tax issues associated with land within the EIBZ if it cannot be developed.	No	This concern is noted, however this matter cannot be addressed in this PSP. The PSP provides a transition from the current land uses to urban development. There is often uncertainty with regards to timing of development.	No action	Unresolved Refer to panel
		6) Clarification is sought for the status and construction of the road shown in grey in the south east corner of the property (i.e. who pays and standard of construction). The road is not in the DCP and currently exists on the property and Borals land.	Yes - DCP	Local access roads (except Whitebark Street and the N-S street over the PAO) are developer funded and therefore not included in the DCP.	No action	Decision pending further review

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7	Melbourne Water	<p>5) MW has provided DELWP, MPA and Council its position on the waterway crossing requirements for Quarry Hills PSP in an email with memo on 15/12/2014. MW requires that all road and pedestrian crossings of the Darebin Creek are:</p> <p>~ Harvest Home Road: Bridge option is preferred; however , a hybrid of bridge and culverts are also acceptable subject to meeting the standards defined in the memo.</p> <p>~ Crossings at 90 Bindts Rd and Lehmans Rd are to be bridge crossings.</p> <p>~Subject to further discussions with DELWP and their GGF requirements.</p>	Yes - PSP	This matter is outstanding with regard to the design of Harvest Home Road bridge crossing. DELWP have recently released their GGF construction standards for crossings and have advised in their submission that the PSP should use these standards. The design and cost of Harvest Home Road crossing in particular is still up for consideration.	Refer to panel	Unresolved Refer to panel
		32) MW requires that all road and pedestrian crossings of the Darebin Creek remain as bridge crossings, as per the exhibited version of the DCP.	No	Noted.	Refer to panel	Unresolved Refer to panel
		29) Quarry Hills DS Strategy identifies the following works and sizes to be adopted in the finalised Quarry Hills PSP: a. WL-A: 0.7 ha footprint b. WL-D: 2 ha footprint c. Sed H: 0.2 ha footprint	Yes - PSP	This may be amended upon receipt of Melbourne Water's updated drainage strategy as agreed with Council. The updated drainage strategy will be included in the PSP once received from MW.	Change the amendment	Decision pending further review
		33) Quarry Hills South DS Strategy identifies the following works and sizes to be adopted in the finalised Quarry Hills PSP: a. RB1 with contained WL1: 2.2 ha footprint.	Yes - PSP	As above	Change the amendment	Decision pending further review
11b	City of Whittlesea (Late submission)					
		3) That multi-span bridge crossings occur over the Darebin Creek (particularly Harvest Home Road Bridge BR03) to protect biodiversity.	No	Noted. The MPA also support the provision of alternatives to multi-span bridge crossings in these conditions, however the matter requires the agreement of DELWP and MW. The MPA note that DELWP have submitted on this issue and require that the crossings be in accordance with the draft GGF construction standards. MPA are currently reviewing these standards and will have further guidance on this issue prior to the Panel hearing.	Further review/discussion required	Decision pending further review

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		5) Council supports the development of a formal Melbourne Water Development Services Scheme for the PSP area	Yes	MPA support the proposed amendments to the exhibited drainage strategy agreed by Council and Melbourne Water. The MPA will update the documentation once the strategy is confirmed and provide this information to submitters.	Change the amendment	Decision pending further review
14	PSCA (LATE)					
		29) Figure 1-3 (Guideline 14, R10) should be drawn to scale at a gradient that they illustrate or else retaining and offsetting between floor levels would be required at later stages. Further guidance should be provided for land with a gradient more than 10%. By redrafting the figures this will remove retaining walls in front of the building line. Further advice on how retaining can be sensitively located in the front of the building line should be provided	Yes - PSP	<p>The intention of Figures 1-3 is to provide some guidance to developers when dealing with sloped sites but also to avoid significant cut and fill into the land.</p> <p>It was discussed at the meeting with the submitter on 9/10/15 that G14 and R10 of the PSP could be amended to include greater flexibility in design outcomes. However it is not desirable for streets to run perpendicular to the contours which R10 is aimed at avoiding.</p>	Change the amendment	Decision pending further review
		30) Dwelling controls for sloping land with a slope greater than 10%, will not achieve 15 dwellings /NDA. Controls should be modified to allow more medium density housing on 100, 130 and 150 Bindts Rd	Yes - PSP	The MPA consider that the targets set are targets only and are not prescriptive. It is acknowledged that the area of land with at least a 20% slope will unlikely achieve 15-17 dwellings/ ha. Council is happy to review a design based response at the subdivision stage.	Further review/discussion required	Decision pending further review

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		31) There is no examination of heritage values on HO161 and 162 - as per R13. This means that conventional and medium density is not known if it can be provided on this land as the heritage value of the site is not known and there is uncertainty about dwelling targets, road connections and open space. The extent of HO161&162 must be reviewed and refined as part of the amendment process.	Yes - PSP & overlay (HO)	The MPA acknowledges that the heritage study did not include to the Heritage Overlays, however it is considered that the development of the land is not prevented by the HO. The response to the heritage sites can be considered at the planning permit stage. HO161 has already been reduced in size. Whilst HO162 is larger, it can be worked around. should there be a resulting reduction in the HO areas from subdivision design, this can suitably form part of another amendment and does not necessarily need to be included with C188.	No action	Unresolved Refer to panel
		32) Local Park 01 should be relocated to improve amenity to residents. The park appears to be positioned to retain mature native trees, however 2 trees (124 and 126) are dead and 7 are of low value (97, 98, 101-103). Instead the park should be protect HO162 - Timm's House on 130 Bindts Rd. This would retain some trees, and allow more frontage to the park instead of adjacent to E6 PAO which creates an inactive edge to the local park	Yes - PSP	Whilst the park has been located around the natural features of the precinct, it is considered that the ultimate shape of the park can be manipulated at the detailed design phase. However, given that the park has been located to protect certain values, these should not be compromised through an amended design. It is also noted that despite some trees suffering in health, they still have habitat values and are characteristic of the general health of protected River Red Gums.	No action	Unresolved Refer to panel
		33) Defendable space of 28m for BAL12.5 should be provided not 60m as per Figure 7 (p35) for the Quarry Hills Regional Park. Also a front setback of 10m is more sufficient than 41m shown in Figure 7 for the Regional Park front setback.	Yes - PSP	The MPA acknowledges the inconsistency between the exhibited bushfire management requirements and Clause 52.47. it is noted as per the CFA submission above, that this section of the PSP will be removed. (see CFA submission)	Change the amendment	Decision pending further review

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		35) There is a large sterilisation of land in the DCP by the quarry extractive works area buffer as per the FUS and therefore the DCP will be ineffective means to fund infrastructure items to Lots 40, 60, 90, 100, 130 and 150 Bindts Rd. It is not clear that the DCP is viable.	Yes - DCP	The quarry has been considered as part of the PSP. The DCP process is that development does not occur all at the same time and that items are funded over a long period of time. Works in kind may be an option or other options as agreed by Council but it is considered that this is typical of growth area planning.	No action	Unresolved Refer to panel
		36) The DCP shows road projects are for arterial road construction (section 2.3.1), which is not the case. Road projects are all connector roads or local access roads and we believe these items should not be included into the DCP	Yes - DCP	Section 2.3.1 There are no arterial roads within the PSP this is a typo and needs to be corrected. The MPA does not agree to remove these projects from the DCP. These have been funded due to their importance in providing access and connectivity to the PSP area and the limited impetus on private developers to construct these roads. It was communicated to the submitter that given Whitebark Street is required to access their land, it would be developer works should this road not form part of the DCP.	Change the amendment - In part	Unresolved Refer to panel
		37) The road bridges across the Darebin Creek casted by Jacobs are 85m spans and 95m Super T beams, but are not accompanied by bridge designs. The single span specifications are excessive and costly. The bridge could be like the English St PSP and DCP (bridge design with costing sheet, 2x25m long Super T beams, not a full span bridge) which still facilitates GGF movement	Yes - PSP & DCP	30/9/15 Noted, however this is a different scenario. English street came to an arrangement with DELWP to create a different design. However this was negotiated directly with the applicant and DELWP. MPA will be discussing this with DELWP next week	Further review/discussion required	Further review/discussion required