

Submission Table- Panel Hearing - November 2015

Version for Part A: 5/ 11/2015

Sub. #	Section/ Page	Issue Raised	MPA Comment / Proposed Outcome	STATUS
1	Steven Mustica			
1.1		Believes there will be a glut of commercial properties in the area.	<p>Noted. The land within the Craigieburn North Employment Area PSP was nominated for industrial development within the North Growth Corridor Plan in 2011.The North Growth Corridor Plan considered a range of factors in nominating land for industrial employment, including:</p> <ul style="list-style-type: none"><li>- The future demand for various activities;</li><li>- The total amount of industrial land that needs to be set aside for future manufacturing, logistics and associated uses in order to provide for both local and metropolitan wide industrial requirements;</li><li>- The appropriate distribution of this industrial land supply between individual growth areas and between larger estates serving the metropolitan industrial land market and smaller estates serving more localised service trades needs; and</li><li>- Specific land use criteria, such as access, proximity to sea and air ports, infrastructure and other planning requirements for future industrial development areas.</li></ul> <p>It is estimated that employment in manufacturing, logistics and related businesses located on industrial land will account for forty to forty five percent of total future employment in the growth areas. It is therefore important to take a long term view in determining how much land should be set aside for future industrial use, particularly as this growth area is likely to have a population of up to 330,000 people.</p>	Unresolved Refer to panel
2	Public Transport Victoria			
2.1		The provision of the 1.8m high fence to the Melbourne/Sydney railway interface should be funded in the DCP.	The provision of the fence forms part of a key local access street. This will need to be funded as a developer cost.	Resolved
2.2		Treatment of the northern end of the fence and the southern end should be clarified and, where possible, provide for an unbroken barrier to the railway corridor, except for public transport vehicular access.	The PSP shows a fence should be provided along the length of the boundary where there is a frontage road. The fence is not intended to end at either boundary of the PSP- as in future it should connect and be integrated with other developments to the north or south. This level of detail is not something that the PSP can ensure, as it will need to be managed through the subdivision design process.	Resolved
2.3		Comment needs to be made within the PSP as to the possible mitigating measures that will be undertaken to combat noise from the railway line, e.g. The noise environment should be acknowledged and appropriate design responses should be incorporated in the designs for residential and other noise sensitive land uses.	The PSP provides for industrial development, rather than residential or noise sensitive land uses. No noise mitigation measures are considered necessary.	Resolved

2.4		The commercial and residential precincts to the south of Donnybrook Road will need safe and well lit pedestrian and cycling access to the Donnybrook Station. The area around the Summerhill Road overpass is considered to be a sub-optimal urban outcome. The PSP should endeavour to create an area surrounding the overpass that will deliver positive urban outcomes.	Overpass cross section shown in PSP will include lighting of shared path.	Resolved
3	James Gevergizian			
3.1		Concerned that the commercial zoning ends at the existing high voltage lines. Request the commercial zoning to be applied of the remainder of the properties along Hume Hwy to allow them to fully utilise the potential of their landholding and be consistent with other properties fronting Hume Hwy.	The land has been proposed for IN1Z, consistent with the intent of the North Growth Corridor Plan. It is considered that the IN1Z will also make up a range of non-industrial land uses as a permit required use, including restricted retail, warehouse and offices. The MPA believes that the application of IN1Z allows for properties along the Hume Freeway to fully utilise the potential of their landholding.	Unresolved Refer to panel
4	Vincenzo and Rita Scarpino			
4.1		<p>The landowners request a review of the rezoning, based on:</p> <p>a) They feel they have been burdened with an economic loss as a result of the previous, current and proposed planning changes.</p> <p>b) They feel they are being denied the equitable use of the land due to the restrictions, including those preventing them from making improvements to enhance its agricultural use, including being prevented from building machinery or hay sheds, climate controlled improvements such as hot houses, or improvements for aquatic farming of fish, animals and plants. They note that these are all primary production opportunities, and that the employment of local workers associated with the development of such industries is significant.</p>	<p>Noted. The property is entirely contained within BCS CA34 and the GGF Conservation Area. The land is therefore designated for conservation purposes and development is not possible. No change is proposed to the PSP.</p> <p>The GGF Strategy points out that 'Category 1 GGF corridor will be excluded from development and will be protected and managed for GGF conservation in perpetuity. The final boundaries of these habitat areas may change slightly to deal with local site conditions during the precinct structure planning process. Any variations must not reduce the total area of the GGF corridor within the relevant precinct or have any detrimental effect on the functioning of the corridor for the GGF and must be to the satisfaction of DEPI [DELWP].'</p> <p>It is not within MPA's jurisdiction to address this concern and therefore acquisition of this land is not part of this amendment. Any decision to begin acquisition would need to be directed from the Federal Government.</p> <p>The Scarpino's enquired as to a possible acquisition by the Govenrment in the absence of economic development rights.</p> <p>The MPA has made enquiries and no known authority seeks to acquire the property.</p>	Unresolved Refer to panel
4.2		The flood zone overlay is no longer relevant due to the changing nature of the surrounding impacting neighbourhood. The surrounding feeder areas impacting on this site are now, and will be, subject to greater management of drainage. The neighbouring sites are being developed with lakes and water features which act as a retention basin and therefore reduce the propensity for flooding for the subject site.	The flood zone overlay has been applied in response to the latest Melbourne Water Stormwater Flood Modelling which has been recently updated. The changing urban conditions will result in increased stormwater flows. The latest modelling and Drainage Scheme in the PSP reflects the need to accommodate these flows within the creek corridor and those assets have been planned for this capacity of flows. No change is proposed to the PSP.	Unresolved Refer to panel
4.3		Feel they are being denied the opportunity to create a viable commercial venture which could embrace the natural features and scenery which includes the stream and pondage, and that subject to an appropriate design and employing creative engineering and architecture, it is felt that the site could be developed commercially, as a restaurant, club or reception centre amongst a landscaped surround.	The property is located within the Growling Grass Frog Conservation Area. The proposed zoning and overlays reflect the existing environmental conditions of the site, which would have been taken into consideration in the assessment of any planning permit application at present. As the property is designated for conservation purposes, it is not considered suitable for development.	Unresolved Refer to panel

4.4		If the land is not re-zoned to allow for improvement, the landowners request that the crown purchases the land at a fair and equitable value that corresponds with that current "unaffected value" of neighbouring properties within the market place.	<p>The MPA has made enquiries and no known authority seeks to acquire the property.</p> <p>The land is not required for public purposes and so there is no rationale present for a public purchase. If a rationale for a purchase did arise, the value of the land would take into account the heavily encumbered nature of the land as it stands; that is the land is predominantly within a creek.</p>	Unresolved Refer to panel
5	N. Messo A. Messo F. Messo Y. Messo G Bayrak A. Bayrak			
5.1		Feel that the site at 85 Amaroo Road has been unfairly targeted for park allocation and water drainage/wetland allocation. One third of the land will not be accessible for development.	It is acknowledged that approximately one third of the land at 85 Amaroo Road will be unavailable for development. This site was considered to be a good location for open space as it functions as a buffer to the adjacent conservation reserve, it is located adjacent to a Melbourne Water asset and distributes open space across the precinct. This location also has a good coverage of native vegetation that can be retained. The Melbourne Water easements will ultimately be acquired by Melbourne Water as part of the Drainage Services Scheme. The landowner will therefore be compensated for the incursion on developable land. If the landowner was not to provide land for open space, they would be required to pay a contribution. No change is therefore proposed to the amendment.	Unresolved Refer to panel
6	Kathy Mora, represented by Bosco Johnson Pty Ltd			
6.1		The landowner does not object in principle to the proposed planning scheme amendments, nor at a high level to the proposed urban structure. It does have some concerns with the delivery of the PSP, the urban structure and the connectivity to the wider area.	Noted.	Resolved
6.2		It is not immediately clear in either the PSP or the UGZ8 what the difference is between the Commercial Precincts A and B, both of which are nominated for the C2Z. It is requested that further consideration is given to the vision for Precincts A & B and how this will be developed on the ground. Supports a mixture of uses as the subject site is located in the heart of the PSP.	The primary difference between Commercial Precincts A & B relate to the amount of restricted retail allowed within the precincts. Precinct B is intended to provide a more sensitive interface to the residential and conservation uses to the north and east, while Precinct A will be the focus for some restricted retail in the area, leveraging on its prime location on the Hume Freeway. This will be further described within the PSP through the amendment of the Vision.	Resolved
6.3		Consideration should be given to the continuation of the shared use path through to the southern portion of the PSP, rather than terminating at the northern edge of the proposed local park.	Agreed. The shared use path will divert onto the local road system for a portion in this area which provides a shared path along the railway line and connector streets. A cyclist would only need to travel along local access streets a short distance without the shared path. Plan 7 (Public Transport & Path Network) will be updated to reflect this intention.	Resolved

6.4		Consideration should be given to the consolidation of the two water bodies (waterway and retarding basin) in the local park to allow for a more efficient use of space.	The water bodies have been designed in a certain way to treat storm water and hence the shape is unusual. The detailed design of assets is subject to change during the detailed design stage and will be refined through the subdivision process. The local park is not encumbered open space, rather the two have been co-located adjacent to one another, so that they can leverage the benefits from one another. Further, the assets have been located under the transmission easement where possible. This area has been relocated and converted over to a water asset.	Resolved
6.5		It is not immediately clear how the timing and staging of the PSP will roll out.	The PSP establishes a 30 year plan for the precinct. The timing and staging of the development will depend on the demand for urban land. Objective numbers 24 - 26 and Requirement numbers 48 and 49 ensure that infrastructure will be delivered in a timely manner. The DCP however, will further clarify in the the staging and delivery of infrastructure in the area.	Resolved
7	Melbourne Water			
7.1		Refer separate sheet.		
8	English Street Development Partners Pty Ltd, represented by Moremac Property Group			
8.1		Some inconsistencies with the base plan of the English Street Structure Plan. In Plan 8 the road network shows a superseded Future Urban Structure Plan for the adjoining English Street PSP Area.	This will be updated in the final version of the PSP.	Resolved
8.2		The group notes that in relation to R48, they understand the reference to "affected land" relates to the blue shaded area on Plan 11. Subject to that being the case, they support the approach adopted by the MPA.	Noted. The area marked as 'affected area' was identified to allow refinement to the location of the crossing. MPA's intention was that the 'affected area' is not only limited to the results of a CHMP, but also the Geotechnical area and area required for road leading toward the bridge. The MPA cannot determine which land is subject to a CHMP as this is managed under the Aboriginal Heritage Act, however the MPA is willing to mark a general 200m radius around the creek that is subject to CHMP. The area can now only move to the north of the bridge location due to a late submission made by DELWP in C183, identifying an area is not appropriate for development to the south of the current bridge location. Therefore, MPA recommends that the area marked as 'affected land' will be relabelled 'project buffer area for possible bridge realignment' and is now limited to the location of the bridge and 50m north of its current location. MPA considers this satisfactory given the results of the CHMP and Geotechnical work that has already been carried out.	Resolved
8.3		Suggest that the wording of R48 be amended to make it clear. Suggested working would be: <i>"Subdivision of land identified as 'affected land' on Plan 11 adjacent to the future Merri Creek bridge crossing and approaches, is not permitted until the exact location of the bridge abutments has been determined, or unless otherwise agreed by the Responsible Authority and the City of Whittlesea".</i>	The following wording is recommended: 'development within the 'project buffer area for possible bridge alignment' identified in Plan 11 adjacent to the future bridge crossing of the Merri Creek is not permitted until the exact location for bridge abutments has been confirmed through a geotechnical assessment and a cultural heritage management plan (CHMP), or unless otherwise agreed by the responsible authority and City of Whittlesea'.	Resolved

8.4		The group believe that greater definition on how the "affected area" is determined needs to be agreed. The group suggests that 60m from the proposed English Street road reserve boundary be adopted and that dimension added to the shading on Plan 11.	Agreed. MPA recommends that the area marked as 'affected land' will be relabelled 'project buffer area for possible bridge realignment' and is now limited to the location of the bridge and 50m north of its current location. MPA considers this satisfactory given the results of the CHMP and Geotechnical work that has already been carried out.	Resolved
8.5		Plan 2- pedestrian bridge should be red	The suggested change will be made.	Resolved
8.6		The interchange servicing English Street is identified as "potential", which brings into question the need for the English St bridge. This needs to be clarified before the DCPs are set.	<p>The Merri Creek Bridge provides an essential local connection between residents in English Street and future employment opportunities in Craigieburn North Employment Area. The SKM modelling report considered two options, Option 1A as having no bridge across the Merri Creek and Option 1B as having a bridge. Of these two options, Option 1B was considered preferable as it provides residents with better access to the south. It also reduces the amount of rat-running that would have occurred with Option 1a.</p> <p>The report mentions that if the Summerhill/Mount Ridley Road overpass is constructed by 2046, then the Hume Freeway interchange may not be required, but if the overpass is not built then it would provide a key part of the network. Nevertheless the English Street bridge will still carry an appropriate level of traffic whether the Hume interchange is built or not, justifying that it is required.</p> <p>The principle of the bridge was agreed by both MPA and ESDP that it was not to be a matter for the panel hearing for Amendment C183. MPA is awaiting the recommendations of the panel.</p>	Resolved
8.7		The proposed cross section for the road bridge should be reduced to remove the central median and replace it with barriers. This will enable the bridge to be constructed as 2 separate decks which will assist with staging the bridge construction. This will also significantly reduce the cost of the bridge, with SMEC estimating the cost at \$4.597m (provided). The alternate bridge is 13.7m wide compared to 16.2m of the proposed bridge. Moremac is seeking that the SMEC bridge and costs are adopted in the final DCP.	It is agreed that for the purposes of an interim design for the bridge, no central median is considered necessary as there is an appropriate width for the road that ensures that this crossing will be safe. The MPA considers that the design prepared by SMEC and agreed upon in the conclave is the recommended to be used in the future DCP. The conclave established and agreed the cost of the bridge. The MPA will however, wait for the recommendations of C183 Panel.	Resolved
9	Merrifield Corporation Pty Ltd, represented by MAB Corporation			
9.1		The inclusion of approximately 25% of the NDA within the C2Z is inconsistent with the Hume Planning Scheme and North Growth Corridor Plan which identify the land for industry.	Disagree. The application of the C2Z is considered appropriate, as it still allows for the development of industry, whilst also allowing for other uses the can provide for a more sensitive interface to the residential and conservation areas to the north and west.	Unresolved Refer to panel

9.2		States that the Restricted Retail Study (SGS Economics) and the Planning Report is flawed in approach to assessment regarding the allocation of restricted retail floorspace. The Restricted Retail Study report also infers a development outcome for Merrifield City Centre which suggests the location is an inferior location for large format retailing. Given the advanced planning of the Merrifield City Centre and the opportunity to create an integrated activity centre comprising a range of densities and retailing, it is inappropriate to make such inferences about the Merrifield City Centre.	Disagree. The report states that Craigieburn North Employment Area and/or Merrifield North Employment Area are both rated as being the best locations for low density restricted retail owing to their accessibility, visibility and large lot sizes. Merrifield Town Centre is identified as an appropriate location for higher density restricted retail. The MPA believes that there is a role for both CNEA and Merrifield for restricted retail, and that the provision of similar uses nearby can leverage from one another's location along a key arterial, Donnybrook Road. The report is intended to provide for a high level assessment of locations within the north growth corridor only.	Unresolved Refer to panel
9.3		The economic reports identify the potential floorspace based on the complete build-out of the North Growth Corridor. To facilitate out-of-centre development at this early stage of development will undermine the orderly growth and development of the North Corridor. The Ministerial Directions in relation to growth areas is to utilise retail floorspace limits in the development of activity centres. A significant floorspace limit in an out of centre area will undermine the viability and development of the activity centres identified in the activity centre hierarchy.	Ministerial Direction No. 12 Urban Growth Areas does not make reference to activity centres. Clause 21.07 of the Hume Planning Scheme supports 'regional scale specialised bulky goods based activity centres (large scale and low intensity) that service regional catchments where it can be demonstrated that they are not appropriate in existing and planned Activity Centres'. The Restricted Retail Study identifies existing activity centres as more appropriately accommodating higher density retail uses with locating lower density restricted retail and bulky goods into specialist retail centres. The quantity of floorspace included in the PSP is supported by the demand assessed in the Study, which takes into consideration existing and planned retail precincts. The Craigieburn North Employment Area PSP is a 30 year plan that will be developed in accordance with market demand and is therefore not inconsistent with the orderly development of the North Growth Corridor.	Unresolved Refer to panel
9.4		The C2Z is inappropriate in an area identified for industrial purposes as it facilitates extensive retailing activities and dilutes and disregards the hierarchy of activity centres planned for the North Growth Corridor. The more appropriate zoning is the Industrial 1 Zone, where Retail premises (other than Shop) requires a planning permit and can be assessed in terms of the planning policy for the precinct.	The application of the C2Z is considered appropriate, as it still allows for the development of industry, whilst also allowing for a more sensitive interface to the residential and conservation areas to the north and west. Within the Commercial Area B restricted retail is a Section 2 use, consistent with the Industrial 1 Zone. Within Commercial Area A, any proposal which would result in more than 25,000 square metres within Area A becomes a Section 2 use. The Schedule is incorrect as it should refer to 25,000 sqm, which was agreed with Hume City Council and should be consistent with the PSP. Both Precincts A and B will provide for a mix of employment uses that still maintain an industrial function, with Industrial still being a section 1 use within the C2Z. It is considered that this will provide for appropriate management of the use.	Unresolved Refer to panel
9.5		The proposal for 84 hectares of Commercial use, in combination with Amendment C183 to the Whittlesea Planning Scheme will result in an unnecessary accumulative increase of Commercial Zone land and will undermine the activity centre hierarchy of the North Growth Corridor.	The area of commercial land identified in the PSP reflects demand estimated by SGS Economics and Planning in the Restricted Retail Study, which includes current and future commercial land. The application of a floorspace cap of 25,000sqm caps the amount of Restricted Retail below the 35,000 - 65,000sqm identified as viable within the SGS demand. No change to the PSP is proposed. The UGZ8, however, will be updated to reflect the 25,000sqm cap discussed within the PSP. The area allows for office floorspace, but equally, it allows for warehouses and a number of other uses to enable a mixed use outcome. It is not considered to undermine the role of a town centre as it is intended to provide for a different type of tenant than those typically in a town centre.	Unresolved Refer to panel
10	Merri Creek Management Committee			

10.1		<p>Recommends that the standard approach to Aboriginal Cultural Heritage, as outlined in the PSP Guidelines Notes - Heritage be undertaken before Amendment C198 and the Craigieburn North Employment Area PSP progresses any further.</p>	<p>While the Heritage PSP Note outlines a preferred approach to heritage management, the detail required to carry out a sustainable cultural heritage management plan (CHMP) is not yet available. Detail of a proponent's development impacts will provide a stronger information base on which to prepare a CHMP. The MPA preparing a CHMP before the PSP is exhibited would likely result in wastage of public monies given the likelihood of the CHMP having to be revised when the detailed deveopment proposal for the land is developed.</p> <p>The MPA and the Registered Aboriginal Party for the land have walked the length of the Merri Creek within the precinct to identify, at a general level, the most appropriate location for a bridge crossing. This has informed the location of the bridge over the creek in an area that is least likely to impact on aboriginal cultural heritage. Hume C198, concurrent with Whittlesea C183, has agreed a costing with all parties that funds a full Cultural Heritage Mangement Plan (CHMP) under the <i>Aboriginal Heritage Act 2006</i>.</p> <p>Moremac Property Group, as a prospective developer of the precinct is currently sponsoring the preparation of the funded CHMP basedo ntheir actual deveopment proposal. The CHMP will address the areas of potential heritage sensitivity the birdge may impact under Part 4 of the <i>Aboriginal Heritage Act 2006</i> .</p> <p>Pursuant to Section 52 of the <i>Aboriginal Heritage Act 2006</i> permit for construction of the bridge may not be issued until that CHMP is complete. This approach was agreed by the Panel for C183.</p>	Unresolved Refer to panel
10.2		<p>Recommends that there be no further progress on Amendment C198 and the Craigieburn North Employment Area PSP until the Metropolitan Open Space Strategy is finalised.</p>	<p>The MPA does not propose to delay or abandon the amendment on the basis that:</p> <ul style="list-style-type: none"><li>- the Metropolitan Open Space Strategy - open space provision in this precinct is consistent with best practice current policy in open space planning and the Victoria's Precinct Structure Planning Guidelines. To ensure transparency in the planning process the amendment must be based on current adopted planning policy in Victoria and the local municipality.</li><li>- Best Practice Stormwater Management - best practice stormwater management is currently part of the Victoria Planning Provisions and being implemented by the MPA and Melbourne Water through this amendment.</li><li>- Melbourne's Water Future North - It is not clear that the amendment will in any way compromise any outcomes of the potential document 'Melbourne's Water Future North' .</li></ul> <p>The documents will provide high level strategic outcomes. Sufficient work has been carried out with Melbourne Water, Yarra Valley Water and DELWP to ensure that the PSP is in alignment with future policy direction.</p> <p>The Panel Report for C183 has confirmed that MPA's poosition is acceptable, with Panel's role being that it must assess the policy that is current at the time.</p>	Unresolved Refer to panel

10.3		<p>Recommends that there be no further progress on Amendment C198 and the PSP until the new best practice environmental management guidelines for urban stormwater are available and the Integrated Management Strategy for the North Growth corridor is completed.</p>	<p>The MPA does not propose to delay or abandon the amendment on the basis that:</p> <ul style="list-style-type: none"> <li>- Best Practice Stormwater Management - best practice stormwater management is currently part of the Victoria Planning Provisions and being implemented by the MPA and Melbourne Water through this amendment.</li> <li>- Melbourne's Water Future North - It is not clear that the amendment will in any way compromise any outcomes of the potential document 'Melbourne's Water Future North'.</li> </ul> <p>The documents will provide high level strategic outcomes. Sufficient work has been carried out with Melbourne Water, Yarra Valley Water and DELWP to ensure that the PSP is in alignment with future policy direction.</p> <p>The Panel for C183 recommended that MPA's position is acceptable, with Panel's role being that it must assess the policy that is current at the time.</p>	<p>Unresolved Refer to panel</p>
10.4		<p>Recommends that additional public open space be created adjacent to the Conservation Area, particularly in the narrower section to increase the width to 200m, in order to provide for greater public use and amenity of the Merri Creek corridor and to reduce the potential for conflict between public use and conservation.</p>	<p>Provision for conservation along Melbourne's Growth corridor creeks and rivers has been the subject of significant investigation, review, contest and regulation over the past 5 years. The submitter was part of this process. The process resulted in statutory decisions by the Commonwealth, supported by both current and former governments under the Environment Protection and Conservation Act 1999 (Cth). These decision are designed to provide the long-term conservation through a range of measures including the protection of land and the creation of havitat amongst others. This regulatory regime is a first in Australia to fulfil national conservation outcomes alongside urban development. The program is being implemented through the PSP program including in English Street through protecting the entire length of the creek and at least 100m of land either side throughout the precinct .</p> <p>The Panel for C183 felt that sufficient areas of open space in both passive and active were identified for C183- English Street which represented a residential area. This amendment proposes open space to be distributed throughout the precinct to provide access for people within a catchment area every 400m where possible.</p>	<p>Unresolved Refer to panel</p>
10.5		<p>The explanatory report incorrectly states that the amendment seeks to rezone Farm Zone (FZ) to Rural Conservation Zone (RCZ). Most of the current zoning is UGZ.</p>	<p>The amendment does seek to rezone both Farm Zone and UGZ to RCZ. The explanatory report wording will be amended to make this clearer.</p>	<p>Unresolved Refer to panel</p>
10.6		<p>Unclear as to the significance of using the RCZ, rather than the SUZ, however note that for the Laffan Reserve, the designation of RCZ would seem to prohibit the upgrade of this active recreation area despite its upgrade being an integral part of the English Street PSP.</p>	<p>The Rural Conservation Zone maintains the current level of land use control. The addition of the Incorporated Plan Overlay triggers consideration of the conservation planning in the PSP.</p> <p>The MPA has resolved to support retention of the Public Park and Recreation Zone over Laffan Reserve which was considered an acceptable solution by Panel C183- English Street PSP.</p>	<p>Unresolved Refer to panel</p>



10.7		MCMC cannot support the removal of ESO2 unless the IPO2 is expanded to include the full suite of objectives identified in ESO2.	<p>The ESO2 was created to manage rural development of the land in the context of ongoing farming activities and the like in the absence of a strategic plan.</p> <p>The current amendment plans for a fully developed urban area with a dedicated conservation area along the Merri Creek that is currently subject to the ESO2. Therefore the development of the creek for conservation outcomes along the creek is a specific implementation of the objectives of the ESO2. The specific provisions in the PSP, which the Incorporated Plan Overlay requires compliance with, are the end point of the ESO2 in that they deliver precisely the type of development the ESO2 always envisioned. Indeed the controls in this amendment are stricter than the ESO2 in relation to allowable use and development of land along the creek.</p> <p>The Panel for Amendment C183- English Street recommended that the ESO3 (Merri Creek and Environs) could be deleted but the contents will be brought out in the text of the PSP and inserted into the RCZ1. The MPA is happy to adopt this approach and carry out the same in context of the ESO2.</p>	Unresolved Refer to panel
10.8		MCMC supports the acquisition of the Merri Creek Conservation Area by the Crown.	The conservation outcomes on Merri Creek may be achieved within a private or public land ownership model. Regardless of the ownership model, the obligations under the Environment Protection and Biodiversity Conservation Act 1999 apply. Public access in itself is not essential to conservation, however planning for the conservation area does envisage managed public access through trails, informal recreation areas and the like. Acquisition by the Crown cannot under the EPBC Act cannot be carried out as part of this amendment.	Unresolved Refer to panel
10.9		MCMC is extremely concerned that Figure 2 allows for direct frontage of industrial/commercial development to the CA, with no road interface.	Figure 2 and the FUS will be updated to show a key access street adjoining the interface with the GGF Conservation Area. The direct frontage cross-section will be removed.	Resolved
11	Hume Council			
11.1		Refer separate sheet.		
12	Claudio Di Martino			
12.1		Refer separate sheet.		
13	City of Whittlesea			
13.1		Recommend that the Requirement to encourage the building design and interface treatments to minimise the negative visual impacts and activate the creek be expanded to address potential odour/ noise buffer issues.	The MPA does not consider any further emphasis necessary. Requirement 4 addresses the need for building design and interface treatments to minimise negative impacts on the amenity of adjacent residential uses, which include odour and noise. The adjacent area is to be zoned C2Z which has in part been planned this way to avoid uses with adverse amenity potential, with more warehouse type uses likely being attracted to the zoning. It is considered that a planning application will need to address any potential for adverse amenity impact.	Resolved
13.2		Understands that the RCZ over Laffan Reserve may be an interim solution until an appropriate SUZ is prepared by DELWP, however requests that the PPRZ should remain in place for this land as the interim control, given that the RCZ prohibits Leisure and Recreation.	Agreed. A solution has been agreed with DELWP in maintaining the PPRZ. This was signed off by DELWP during the hearing for C183. The MPA will await Panel recommendations from C183 on this point.	Resolved

13.3		Concerned that the proposed costing of the Merri Creek bridge is inadequate given its location and potential geological and environmental constraints. Request that the costing sheet be independently reviewed and provided to Council officers for further comment.	Independent review of the costings was carried out by the conclave. The Panel Report for Amendment C183 has confirmed that they will accept the costing of the bridge that was referred to the engineering conclave. The MPA does not support the reinterrogation of this submission. The new costing will be in the revised DCP.	Resolved
14	CFA			
14.1		The land affected by the surrounding area is subject to a grassfire hazard. There is a risk to life and property from exposure to radiant heat within the immediate vicinity of unmanaged grasslands.	<p>Noted. The whole of the edge of Melbourne is exposed to some grassfire risk. However the risk is minimised in this precinct as a result of a number of existing man-made fire-breaks including Donnybrook Road, Hume Freeway &amp; the Sydney-Melbourne railway. Further, the land holdings are in relatively small parcels resulting in a greater level of on-site management in and around the precinct.</p> <p>In addition, the fire risk will be further reduced by urban development of surrounding land in the area, including:  exists - AQIS development on Donnybrook Rd and residential neighbourhoods around Mt Ridley Road; or  is under construction - in the 'Lockerbie' precinct to the north or will soon commence; or  is shortly to be approved - English Street PSP and Donnybrook-Woodstock precincts.</p>	Resolved
14.2		Areas of open space / reserves provide the potential for ongoing exposure to grassfire hazard if not managed properly with appropriate separation, and vegetation management.	<p>CFA have asdvised that open spaces of less than four hectares in contiguous area do not contain enough critical mass of fire fuel to present a viable fire risk to surrounding development. This is particularly the case where those reserves are managed by a public authority for community recreation or utility type uses.</p> <p>There are four planned local park reserves and an informal recreation reserve to be created. There is also land identified as 'power transmission easement' on the plans. None of these planned open space reserves has a contiguous area greater than 4 hectares and will be managed and developed by Hume City Council for recreation and related uses.</p>	Resolved
14.3		Areas reserved for conservation purposes / open space could expose the development to potential grass fire risk without appropriate fire prevention strategies incorporated within the design planning.	Development in conservation areas must be preceded by the preparation of a Fire Management Plan to the satisfaction of the CFA in accordance with requirement 11 on 'Figure 4 Growling Grass Frog - Conservation Area Concept Plan'. The open space will need to be managed by the Council to reduce the potential for fire risk.	Resolved
14.4		Grassfire mitigation measures for reserves / areas of open space should be addressed by the development of an appropriate <i>Fire Management Plan</i> to the satisfaction of CFA. This primarily relates to the Merri Creek corridor and associated with the GGF conservation areas. This plan should address issues of fuel management, access, water supply and separation of fuel loads from adjacent land holdings. The CFA looks forward to working toward the development of controls and ongoing management practices to mitigate both the likelihood of fire occurring and any consequential impacts.	Development in conservation areas must be preceded by the preparation of a Fire Management Plan to the satisfaction of the CFA in accordance with requirement 11 on 'Figure 4 Growling Grass Frog - Conservation Area Concept Plan'.	Resolved
14.5		The separation from rural / urban interface by good design can greatly decrease the potential interface issues between rural grassland areas and the business precinct.	There are no interfaces to between the precinct and rural areas. Where there is an interim interface between an urbanised and rural property within the precinct the bushfire risk site management provisions at R20 of the PSP apply.	Resolved

14.6		Boulevard or perimeter roads should be utilised abutting the interface between all grassland / Merri creek reserve areas and the new development so properties do not directly adjoin open grassland areas.	The PSP will be amended to show a local access street along the perimeter of the conservation area. The direct frontage cross section will be removed from Figure 2. R17 of the PSP provides for a perimeter road to be the default position wherer urban development adjoins conservation. Any alternative design must be prepared to the satisfaction of the DELWP.	Resolved
14.7		Tree planting needs to consider species selection, design and spacing considerations to prevent the increased risk of fire and facilitate ongoing emergency vehicle access to open space areas.	R2 of the PSP requires street tree planting to use 'locally appropriate species'. The phrase 'locally appropriate' would include considerations around local climate conditions in relation to tree selection including the risk of fire and the propensity of the selected tree to aid or hinder the spread of fire.  Planting and landscaping of local parks are manged and regulated by the managing local municipal councils and must comply with the relevant Municipal Fire Prevention Plan. Further, planting of local parks will generally be exempt from a planning permit under Clause 62.02-1 by virtue of it being iwthin the category "Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality."	Resolved
14.8		Any re-vegetation programs must not increase the potential fire danger. Hence appropriate planting regimes and species must be considered.	See response to items 14.4 and 14.7 above.	Resolved
14.9		Adequate quantities of water including " <i>pressure and flow</i> " should be designed into a new reticulated water supply to ensure the future needs of the site can be accommodated.	The pressure and flow of water in the area is managed by the relevant water supply authority and is not a use and development matter for the planning scheme.	Resolved
14.10		The significant growth associated with this new precinct in this and surrounding areas will require a constant review of existing emergency service provision. However CFA has no plans to seek additional land within this proposal.	Noted.	Resolved
15	EPA Victoria			
15.1		The EPA does not object in-principle to the proposed amendment and has no advice to add to the consideration of the amendment at the conclusion of its exhibition.	Noted.	Resolved
16	Angelo and Phillip Votsis			
16.1		Submitters express support for the MPA's planning design for the area. Believe the close proximity and visibility from the Hume Freeway warrant its classification for development of C22.The physical location of their property will make it a perfect office employment hub for the neighbouring residential developments.	Noted.	Resolved
17	John Tsoutsoulis			
17.1		Submittor expresses support of the zoning proposal as presented. Notes that the land in question is in a prime location (close to the freeway and other main road arterials). It is very visible from the freeway and is also in close proximity / central to all new proposed developments - a great employment hub for everyone to utilise.	Noted.	Resolved
		Supports the plans and road network as presented by the MPA.	Noted.	Resolved
		The design, layout together with the commercial precinct as proposed all compliment each other and is strongly endorsed.	Noted.	Resolved
18	Friends of Merri Creek			

18.1		Objective 14 should refer to a public open space network for local workers <i>and recreational users</i> and this should be implemented to ensure recreational links north and south via the creek network.	Objective 14 has been amended to remove reference to the end user.	Resolved
18.2		Recommend that the RCZ is not used in its current form and a new Conservation Zone is developed that is fit for purpose. Secondary preference would be to zone each conservation area Public Park and Recreation Zone.	<p>The SUZ was drafted as the preferred tool to implement the BCS by DEPI (now DELWP). However, since previous consultation on the PSP, DELWP have advised the MPA to utilise the existing tools in the VPPs to protect the GFF, which is a Rural Conservation Zone and Incorporated Plan Overlay package. The revised amendment now includes these tools rather than previous SUZ. DELWP is continuing to resolve how to implement the BCS, as such the tools affecting the creek corridor could be subject to further change.</p> <p>The Laffan Reserve remains in the Public Park and Recreation Zone. However, the amendment does not mandate that land around the Merri Creek for conservation become public land and so a public land zone is not the appropriate choice at this time.</p>	Unresolved Refer to panel
18.3		<p>As protection of the area and its multiple values needs to be enhanced in the context of urban development, the FoMC advocate for the retention of the ESO2 and ESO10, but for them to be amended to include the condition requirements as outlined in Section 2 of the proposed IPO2. Issues with the proposed IPO2 include:</p> <p>~ Reduced environmental values protection as it contains no statement of environmental significance.</p> <p>~ More confined than the ESO, focussing solely on preserving the GGF, rather than the ecological, waterway recreation, landscape and heritage functions.</p> <p>~ Pacification of language in controls, i.e. the verbs in the ESOs include restore, revitalise, enhance, improve, revegetate, create and provide, compared to the IPO2, which only uses the verb 'conserve' in relation to Merri Creek.</p> <p>~ Lack of clarity - the schedule does not identify the plans to which it refers in the statement "A permit granted must be generally in accordance with the incorporated plans as they apply to the land".</p> <p>~Removal of strategic documents which are currently reference docs in the ESO2 and ESO10.</p> <p>~ Reduced decision guidelines - disregards local knowledge by removing the decision guidelines requiring where appropriate for the responsible authority to consider the Merri Creek Concept Plan and the views of the Merri Creek Management Committee and AAV Heritage Services Branch.</p>	<p>The ESO2 was created to manage rural development of the land in the context of ongoing farming activities and the like in the absence of a strategic plan.</p> <p>The current amendment plans for a fully developed urban area with a dedicated conservation area along the Merri Creek that is currently subject to the ESO2. Therefore the development of the creek for conservation outcomes along the creek is a specific implementation of the objectives of the ESO2. The specific provisions in the PSP, which the Incorporated Plan Overlay requires compliance with, are the end point of the ESO2 in that they deliver precisely the type of development the ESO2 always envisioned. Indeed the controls in this amendment are stricter than the ESO2 in relation to allowable use and development of land along the creek.</p> <p>It was recommended at Panel for C183- English Street that the ESO Schedule relating to the Merri Creek can be deleted, subject to its contents being applied to the RCZ schedule and the Precinct Structure Plan. The MPA is happy to adopt this approach and carry out the same in context of the ESO2</p>	Unresolved Refer to panel

18.4		Recommend that a corridor of at least 200m wide be provided on both sides of the Merri Creek (totalling 400m) through the North Growth Corridor to allow for both GGF conservation and accommodate the various other allowable uses within the conservation area.	Provision for conservation along Melbourne's Growth corridor creeks and rivers has been the subject of significant investigation, review, contest and regulation over the past five years. The submitter was not part of this process. The process resulted in statutory decisions by the Commonwealth, supported by both current and former governments under the Environment Protection and Biodiversity Conservation Act 1999 (Cth). These decisions are designed to provide long term conservation through a range of measures including the protection of land and the creation of habitat amongst others. This regulatory regime is a first in Australia to fulfil national conservation outcomes alongside urban development. The program is being implemented through the PSP program including Craigieburn North Employment Area through protecting the entire length of the creek and at least 100m of land either side throughout the precinct.	Unresolved Refer to panel
18.5		The conservation area and (additional) open space corridor along Merri Creek should be acquired by a public authority and managed appropriately.	The amendment provides for both public and private delivery of conservation outcomes consistent with the current scheme for vegetation offsets in Victoria. Any necessary acquisition of land for conservation areas will be considered in the context of the overall delivery of conservation outcomes in the growth areas.	Unresolved Refer to panel
18.6		Recommend that this amendment be delayed until the finalisation of the GGF Masterplan to confirm where GGF wetlands are to be sited. The placement of other infrastructure should then follow.	<p>Planning for the conservation under the Commonwealth approvals first sets aside the land area based on informed broad principles as to the scale and type of land that will accommodate good habitat for the Growling Grass Frog.</p> <p>Once that is established detailed planning as to the internal composition of the conservation area can proceed, working closely with DELWP to identify areas where infrastructure should be avoided.</p> <p>The area has been designed to have sufficient areas retained for conservation. During the development of the Conservation Area Concept Plan, these areas were identified and avoided for any infrastructure.</p>	Unresolved Refer to panel
18.7		A conservation interface or buffer is required around Conservation Area 27 and Plan 4 should clearly show Conservation Area 27 also to ensure that utilities are sited outside this area.	Agreed. Conservation interface will be shown around Conservation Area 27 in Plan 4; Conservation Area 27 is labeled clearly in Plan 6.	Resolved
18.8		Areas of native vegetation be incorporated into conservation areas and/or open space. Particularly LP3 be expanded to include more Grassy Woodland remnants.	The MPA consider that the concept design appropriately retains areas of native vegetation, beyond that which is required through the BCS.	Unresolved Refer to panel
18.9		An east-west habitat link should also be incorporated into this precinct. Either from the creek and/or Conservation Area 27 to Mount Ridley to the west.	The MPA consider that the concept design appropriately retains areas of native vegetation, beyond that which is required through the BCS, which does not identify the need for an east-west habitat link in this area.	Unresolved Refer to panel

18.10		<p>All parkland or open space containing indigenous vegetation and/or natural features such as rocky areas should be managed to enhance these natural values and the following guidelines be implemented:</p> <p>~ Levelling must not impinge on a conservation reserve</p> <p>~ Levelling must not impact on natural drainage patterns</p> <p>~ Warm climate grasses must not include Couch, Brown-top Bent or Kikuyu where the reserve adjoins conservation areas, as these are highly invasive species</p> <p>~ Drainage and piping for water provision must not impact on a conservation reserve</p> <p>~ Planting of trees and shrubs: indigenous species are preferred adjoining a conservation reserve. Exotic deciduous trees can cause die-off through shading and the impact of smothering and disturbed nutrient cycling. These have downstream impacts as well on creeks when this material enters stormwater drainage.</p>	<p>The conservation area is zoned for conservation and has a specific plan, the PSP, applying to it - all of the matters mentioned would form part of the consideration under the purpose and decision guidelines of the zone combined with the guidance provided in the PSP. Conditions are also imposed via the Incorporated Plan Overlay to ensure works in or near the conservation areas do not compromise conservation values.</p> <p>Specific guidance around planting adjacent the conservation is to maximise the value of open grassed habitat for the Growling Grass Frog while the PSP directs that infrastructure avoid the conservation areas wherever possible (see Conservation Area Concept Plan of PSP and R17, R18 and R19).</p> <p>Tree species selection throughout the precinct is guided by Local Policy with consideration to local climate conditions which would include the fact that the conservation area is adjacent as well as factors such as fire risk, safety regarding tree structure and the amenity and sustainable maintenance of the area (see R2 of PSP).</p> <p>Specific guidance on the attributes of the planned local parks respectively incorporates guidance on the retention of existing stands of trees and incorporation with the conservation (see Table R13 and 2 of the PSP).</p>	Unresolved Refer to panel
18.11		Recommend that innovative methods be utilised within this precinct to ensure that the flows are not only kept to pre-development levels but also at pre-development flow patterns (i.e. No storm surges) via programs such as those that have been implemented in Little Stringybark Creek and Dobsons Creek.	The MPA and the planning scheme follow the lead of the drainage and water authorities with regard to management of water flows. The amendment is reflective of current guidance from those authorities. The design of wetlands/ retarding basin is based on the Development Service Scheme proposed by Melbourne Water.	Unresolved Refer to panel
18.12		Recommends that in anticipation of the soon to be finalised <i>Best Practice Stormwater Management Guidelines</i> , this precinct plan should aim to exceed current best practice stormwater quality treatment standards by implementing the draft standards.	The amendment provides for either meeting or exceeding current best practice in storm water management (see R33 of the PSP).	Unresolved Refer to panel
18.13		FoMC strongly support that a planning panel process be implemented for the PSP.	A Planning Panel is appointed if planning-related issues remain unresolved as per the Planning and Environment Act 1987.	Resolved
19	Mary Kiriakou			
19.1		Submittor expresses support of the zoning proposal as presented. Notes that the land in question is close to the freeway and other main roads and is also in close proximity to other proposed developments.	Noted.	Resolved
20	DELWP			
20.1		Requests that the following requirement be included in Section 3.6.1 Integrated Water Management: <i>"Stormwater runoff from the development must meet or exceed the Best Practice Environmental Management Guidelines for urban stormwater performance objectives (as amended or superseded) prior to discharge to receiving waterways and as outlined on Plan x, unless otherwise approved by Melbourne Water and the Responsible Authority"</i> .	New requirement will be included in PSP as recommended.	Resolved
21	VicRoads			
21.1		VicRoads supports the amendment.	Noted.	Resolved

Sub. #	Section/ Page	Issue Raised	MPA Comment / Proposed Outcome	Submitter's reply in relation to MPA Comment	STATUS
1	Claudio Di Martino				
12a.1		Believes that there has been no consultation with any landowners in respect to what land uses are required to best serve the landowners, the Hume City Council and the people of Victoria.	<p>The MPA is obligated to, and has, taken into account the views of a range of stakeholders in preparing the amendment. This includes consultation with landowners and consideration for the future community in the area and in Victoria. Direct meetings between the MPA and landowner were held in October 2011, December 2012, October 2013 during which landowners were invited to comment on the preparation of the Future Urban Structure and the Precinct Structure Plan. Additionally, MPA staff consistently make themselves available to discuss landowner concerns via telephone or in person.</p> <p>The amendment aims to provide a feasible development proposition within the precinct to ensure the area prospers while integrating in an efficient way with the rest of the city. The MPA represents established and agreed land uses with the state government.</p>	<p>For clarification the - change to the amendment request answer is YES to all issues raised in the MPA reply to submission 12. All matters are unresolved.</p> <p>All points 12.1 to 12.21 are valid and to be referred to the panel.</p> <p>Dictating to the landowners that the MPA wanted an industrial zoning in this area is not consultation. Not asking or explaining to the landowners how this rezoning is going to affect them is not good planning or good policy. Having meetings that totally ignores the concerns of these landowners is not conciliatory.</p> <p>The phone calls from landowners complaining and concerned about the fallout from these poor decisions has fallen on deaf ears. These telephone complaints should be tabled in the hearing.</p> <p>The MPA has not followed protocol ignoring its own Values &amp; Vision statement on it web page. Every point which is highlighted in its mission statement has been ignored. See Appendix sheet one. All points in their values statement has been contradictory.</p>	Unresolved Refer to panel
12a.2		There is no demand for industrial land in this area, and that there is a significant oversupply. The submitter recommends that the area be rezoned to residential or mixed use to decrease the oversupply of industrial land that is already zoned to the south of the PSP corridor. The submitter included background information and calculations from the Urban Development Program to support his view that there is potentially 392.5 years of industrial land supply in the northern corridor.	<p>There is no evidentiary base to the submitters claim.</p> <p>Numerous land use demand analyses over time have demonstrated the need for industrial land supply in the north growth corridor.</p> <p>This precinct also present some clear lcoational advantages with regard to road and rail proximity that elevate its likelihood of success as an industrial precinct.</p>	<p>Evidence has been provided in the form of tables and graphs in the submission.</p> <p>The evidence is from the Urban Development Program Report 2013-2014. To dismiss this proof as having no basis is untrue. It has been cross referenced as have most of the points made in the submission. The 392.5 years of industrial land supply may be conservative when you factor in the coming onslaught of technological changes in automation, robotics and similar innovations..</p>	Unresolved Refer to panel
12a.3		The population figures in the Restricted Retail Study Report should be expanded to include age demographics, as this will give more statistical evidence that a residential zoning is best for this PSP. The submitter also states that more proof is required to substantiate the population projections.	The methodology, including population and demographic forecasts, used to forecast future retail demand is considered to represent best practice. Landowners were invited by letter to comment on background reports in July 2013.	<p>Please note that the Restricted Retail Study Report Final 2014 is based on assumptions.</p> <p>The report states on page 8 under sub heading 3.2 Population - That the population forecasts are an assumption. Therefore they are a guesswork.</p>	Unresolved Refer to panel



12a.4		<p>The Valuation Report does not give the best case scenario for the PSP, and recommends that the report includes valuations of every individual property within the PSP and accounts for all land improvements. The report must include a best case scenario based on a residential development for this PSP, as only when a comparison between industrial and residential rezoning costs are revealed will a best case scenario be demonstrated.</p>	<p>Each holding is assessed having regard to the proposed zoning and the notional highest and best use per the PSP’s Urban Structure Plan. This report relates to the assessment of the parent holdings within the precincts for the implementation of a DCP. Therefore, the values assessed relate to the underlying land values. Accordingly, the improvements have been excluded from the assessments.</p>	<p>The valuation report statement - Highest and Best Use paragraph on page 19 is an oxymoron. The terms Highest and Best Use for a specified proposal (industrial/commercial) implies that the valuations are variable. That is that there is a choice of valuation scale for these lands. On this rationale it is quite logical to state that the valuations are the Lowest and Worst Use as well. Both valuation wordings are correct in this context. However it does not reflect the actual valuation of the lands in this PSP. To do this each landholding must be individually valued on the merits of its location and to any improvements to these properties. The landowners deserve to have a valuation done. To do this valuation correctly the realised economics of a residential, mixed use or industrial/commercial can be determined and assessed. It is the very least that the MPA should have done. This has not been the case.</p> <p>The income revenue to government under this Valuation clause for a residential development has been completely ignored. The revenue from a residential or mixed use development would alleviate a lot of the problems created by this proposed poor planning by the MPA.</p> <p>The big question that needs to be asked is - Who is benefiting from these decisions?</p> <p>It is not the landowners. It is not the various government departments. It is definitely not the local community. Then who is it really benefiting?</p>	<p>Unresolved Refer to panel</p>
12a.5		<p>Brookville Drive, Kinlock Court, Summerhill Road and surrounding roads are now unsafe and need to be constructed as a matter of urgency.</p>	<p>All roads within the precinct will be required to be constructed to a standard suitable to support the planned urban development. The DCP will capture funding for the upgrade of Brookville Drive and Summerhill Road. The DCP will capture funding for the upgrade of Brookville Drive and Summerhill Road, in addition to a number of other roads within the precinct, and can be developed once sufficient funding is collected.</p>	<p>When and who will build these roads ? Is the MPA now building these roads if it is going to capture funding? Who is going to compensate the landowners who lose their homes and lands to this road? The fact is at the moment these roads are unfunded. And if development does not go ahead then these roads will remain unsafe and fall deeper into ruin. The MPA is now compromising road safety and the safety of all the people who use these roads. If this area was a worksite it would have been shut down by the Worksafe authority years ago.</p>	<p>Unresolved Refer to panel</p>
12a.6		<p>The review mechanism in the DCP every 5 years shows a complete lack of confidence in this planning. The 30 year plan and 5 year reviews would by shuttled by rezoning the land to residential zoning. This would give a time frame of 5 years to full development and full revenue to relevant government authorities.</p>	<p>The review mechanism is a standard provision that enables the DCP to be updated over the 30 year lifespan of the PSP to reflect any changes in the plans, PSP or projects required. While the MPA seeks to create certainty in the preparation of PSPs, it must be recognised that some flexibility is required to respond to changes in circumstances beyond those that could be anticipated during the preparation of the PSP.</p>	<p>Thirty year plans for estates that are ready for development do not create employment. They create wastelands. These industrial wastelands are the first sight that interstate travellers will have of greater Melbourne. This eyesore will be a progressive 30 year train wreck. What a show case for the rest of the nation. What vision and flair. How proud the rest of Melbourne will be to have this industrial tundra as a gateway to the jewel of Victoria.</p>	<p>Unresolved Refer to panel</p>
12a.6-1		<p>7) A range of alternative development options for consideration. Option 1 - Complete residential zoning of the area, with a train station constructed with the extension of Kinloch Court to the rail line with car parks to facilitate commuters. A row of retirement villages along the western boundary of the PSP, with a host of ancillary services like health care providers, funeral homes, mobile scooter providers and pharmaceuticals.</p>	<p>The Craigieburn North Employment Area was identified in the <i>Growth Corridor Plans: Managing Melbourne's Growth, approved by the Minister for Planning in 2012</i>, for employment purposes. As the planning authority, the MPA is bound by the land uses shown in this corridor plan.</p>	<p>The Growth Corridor Plans are over 10 years old. The reports that this plan uses as a reference are now over five years old and reference back to 2001. The reports are not up to date. These Growth Corridor Plans were meant to be an overview of proposed development. They were not meant to be commandments. How can a Planning Authority be credible if it uses documents that are out of date to justify current trends? Evidence in the Urban Growth Development Reports 2013-2014 is up to date and is current. This report refutes any other information that the MPA has commissioned to promote this amendment.</p>	<p>Unresolved Refer to panel</p>



12a.6-2		Option 2 - The Melbourne-Sydney route of the Hume Highway could be a motel district, with low rise motels to 5 stories high with 1000 rooms per motel site, with a chain or restaurants and service amenities. This could cater for the growing tourism market out of Asia as well as a stopover for interstate visitors. This could be combined with convention centres and display facilities, and the remainder of the site hosting a multi-unit retirement super village specifically tailored for elderly citizens.	As above.		Unresolved Refer to panel
12a.6-3		Option 3 - A mixed use zone similar to the nearby mixed zone of PSP 25.2. The submitter believes that this PSP is in a superior location to PSP 25.2, so would likely be developed first, and would compliment the proposed PSP25.2.	As above.		Unresolved Refer to panel
12a.6-4		Option 4 - A new university, supported by accommodation blocks housing up to 20,000 students.	As above.		Unresolved Refer to panel
12a.6-5		Option 5 - An integrated amalgamation of the projects in options 1-4 but with a greater localised public transport system, based on tram, battery cable car or road centric battery operated bus service. The system would connect to Lockerbie, Merrifields and Donnybrook estates, future links to Beveridge and Wallan, and the Craigieburn area and Craigieburn Shopping Centre.	As above.		Unresolved Refer to panel
12a.7		The submitter supports the development of an integrated public transport system as described in Option 5 (comment 7 above), as the area would be less reliant on motor vehicles, creating a better environment, less congestion and connectivity. It would also save money on road infrastructure.	The Craigieburn North Employment Area will be serviced by the Donnybrook Train Station at the intersection of Donnybrook Road and the Sydney-Melbourne Train Line. PTV has not committed to the construction of another station within the precinct.		Unresolved Refer to panel
12a.8		The Submitter states that the current planning for this PSP has depreciated existing land assets, creates unemployment and creates uncertainty for the land owners and potential developers.	It is not clear that this statement is supported by any verifiable evidence.	12.8 to 12.11 - As above.	Unresolved Refer to panel
12a.9		The Submitter states that the landowners have always maintained that the best use for this zone was to be a residential zoned area, or at worst a mixed use zone. The site has only ever been cited as being a possible industrial zone after the area was brought into the Urban development boundary in 2006.	This area is clearly identified as industrial land in the <i>Growth Corridor Plans: Managing Melbourne's Growth</i> , approved by the Minister for Planning in 2012. The purpose of including this and all land in the Urban Growth Boundary is to facilitate it's development as urban land, which necessitates its rezoning usually from Farming Zone.	12.8 to 12.11 - As above.	Unresolved Refer to panel
12a.10		The Submitter requests that the re should be a study undertaken to determine the extent of the decline in demand for industrial land in the north.	Prior to the preparation of the Growth Corridor Plans a range of independent studies were commissioned to inform the future demand for industrial land. The land allocated to industrial uses in the Growth Corridor Plans, and in turn Precinct Structure Plans, ensures adequate land to service the Metropolitan area for the next 40 years.	12.8 to 12.11 - As above.	Unresolved Refer to panel
12a.11		It would be prudent to spend another \$25,000 on an economic planning report that reflected the landowners perspective. That way at least the landowners would be able to present an unbiased view of the situation.	The MPA has funded planning for the area on behalf of the government as a representative of all stakeholders in the area.	12.8 to 12.11 - As above.	Unresolved Refer to panel
12a.12		The submitter estimates (based on UDP data and information within the PSP) that there are approximately 22,300 jobs forecast to be created within the existing industrial land supply in Hume. The MPA or the HCC do not identify what current demand from industry this employment meets, and the submitter questions that if current employment opportunities cannot be realised how will future employment be proven?	The number of jobs created in the PSP (8,200) is consistent with the goal set out in the Growth Corridor Plans to create one job per household across the North Growth Corridor. In addition to the creation of employment land, there are significant areas of residential development driving the demand for additional jobs.	12.12 - As submitted in report.	Unresolved Refer to panel

12a.13		There has been no analysis of the human economic cost undertaken.	The costs of property ownership and transactions are to be borne by the landowner.	It has been almost ten years now that this area was brought into the Urban Growth Boundary. That is fact. That in itself has created a lot of uncertainty. These properties as they now stand cannot be developed by the landowners in any shape or form if this area is to be an industrial/commercial zone. The development costs for a 30 acre allotment are in the vicinity of \$5,000,00.00 for head works charges and GAIC and council fees alone. This does not take into account the DCP charges for the construction of the main roads or the construction of byroads to these estates. Then there is the cost of civil infrastructure to these allotments. If these allotments cannot be economically developed by an existing owner (the cost of buying the land is excluded form the development cost) how can it be developed including the costs of land ownership in the development? The real problem is that the majority of landowners will not want to develop their lands and have no intention of moving. So how will it even be possible to develop? The answer is that it cannot because it is not financially viable.	Unresolved Refer to panel
12a.14		The valuation report omits any quantification for compensation of landowners who have homes that will be absorbed by the construction of new road infrastructure.	No houses are being acquired for the roads.	This point highlights the fact that prior to 2006 the area was mooted by the landowners as possible residential. So it demonstrates precedence. The MPA has not satisfied this point of fact. They keep using the argument that it was a past decision to have this area zoned an industrial area. Not true. It was always seen as a residential area by the landowners and is currently being used for residential purposes.	Unresolved Refer to panel
12a.15		The road infrastructure costing is more than the lands in the PSP, which would not encourage any developer to even consider this area as a possible venture. The costs in the DCP could be less than halved if this were to be a residential zoned PSP.	The construction of urban infrastructure in the precinct will increase the resale value of the land.	This point has been covered. Again the MPA is using outdated reports. The reports that pertain to the Growth Corridor Plans may be independent but they are scribed through rose coloured property sales commissions.	Unresolved Refer to panel
12a.16		Zoning this area industrial / commercial next to environmentally sensitive habitat that is to be a sanctuary for GGF contradicts this ethos.	<p>Requirement number 17 in the PAP requires that any development abutting any conservation area must be in accordance with the Growling Grass Frog Conservation Area - Concept Plan and the Growling Grass Frog Conservation Area Conservation Interface to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.</p> <p>A number of conservation areas were permanently set aside in the western industrial node of Melbourne by the Minister for Environment and continue to exist adjacent industrial development.</p>	<p>The MPA has not provided evidence that gives any point of view on behalf of the landowners. So it has omitted to represent all stakeholders. Unless the landowner is not defined as a stakeholder?</p> <p>Can the MPA or the panel clarify the definition of a stakeholder?</p> <p>Is the definition of a stakeholder a land developer?</p> <p>Are there percentages of certain stakeholders that are more important than others?</p> <p>The perception is that this may be the case?</p> <p>So again the question is who are the beneficiaries in this rezoning?</p>	Unresolved Refer to panel

AMENDMENT C198 - CRAIGIEBURN NORTH EMPLOYMENT AREA PSP 25.1					
Submission Table- Panel Hearing - November 2015					
Version for Part A: 5/ 11/2015					
Sub. #	Section / Plan / Requirement	Issue Raised	Submitter Proposed Outcome	MPA Comment / Proposed Outcome	STATUS
22	DELWP				
22.1		DELWP supports the amendment subject to the changes outlined in this submission		Noted.	Resolved
22.2		Laffan Reserve should not be zoned Rural Conservation Zone, it should be Public Park and Recreation Zone		Agreed. See correspondence agreeing on this matter between MPA and DELWP with regard to Whittlesea C183 on 31/08/2015	Resolved
22.3		As discussed during the exhibition of the nearby English Street PSP, a similar approach should be adopted to introduce a new Schedule to the Rural Conservation Zone that adopts appropriate conservation values and controls from existing Environmental Significance Overlays to the extent possible, and ensure that a new Environmental Significance Overlay applies to the entire Conservation Area.		Agreed, See correspondence agreeing to this matter between MPA and DELWP with regard to Whittlesea C183- 31/08/2015	Resolved
22.4		<p>It is recommended that the Schedule to Clause 52.17 be amended in the following ways:</p> <ul style="list-style-type: none"><li>• The wording 'native vegetation that can be removed' should be changed to: " ... 'native vegetation patches that can be removed' or 'scattered trees that can be removed' on Plan 6 in the incorporated ...'. This clarifies that the exemption applies to both the native vegetation patches and scattered tress, and aligns the wording directly with that shown on Plan 6.</li><li>• Delete the words "subject to the provisions of Clause 37.07 Schedule 8"</li><li>• Correct spelling of the word 'Craigieburn'.</li><li>• Include the words ' is required for any development that is subject to and' in front of 'carried out in accordance with ...'.</li></ul> <p>Wording would therefore be: “Shown as 'native vegetation patches that can be removed' or 'scattered trees that can be removed' on Plan 6 in the incorporated Craigieburn North Employment Area Precinct Structure Plan where the removal, destruction or lopping is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).”</p>		<p>Agreed change the amendment. Language in the PSP should also be changed to be consistent.</p> <p>It doesn't appear necessary to add words 'is required for any development that is subject to and', as submitted by DELWP. The vegetation removal by definition is only allowed by virtue of it being part of the class of actions 'all actions associated with urban development'. As part of the controlled action being permitted by the EPBC approval the destruction of vegetation is in itself 'development that is subject to' the approval. Its removal then need only be 'carried out in accordance with the approval'.</p> <p>Wording should therefore be:</p> <p>“Shown as 'native vegetation patches that can be removed' or 'scattered trees that can be removed' on Plan 6 in the incorporated Craigieburn North Employment Area Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).”</p>	Decision pending further review
	Schedule 8 to the Urban Growth Zone				

22.5	Section 1, Page 1	Map 1 to Schedule 8 to Clause 37.07 shows the footprint of the retarding basin located underneath the powerline easement is different to that shown in the conservation area concept plan. The footprint shown here should be the same as that shown within the conservation area concept plan	Modify map 1 to more accurately indicate the water management locations of Conservation Area Concept Plan.	<p>The MPA suggest that there is no inconsistency between the plans mentioned and that no change to the amendment is required. There is no inconsistency between the two plans. However the plan could delineate between water bodies and flow channels which remain dry for the vast majority of the time. The Conservation Area Concept Plan is at a conceptual level of resolution only. The water feature shown outside the conceptual 'water management location' on the concept plan is based on a functional design by Melbourne Water.</p> <p>While it is not delineated on the plan, that part of the functional drainage design shown outside the 'water management area' is not a retarding basin but an overflow channel for a related sediment basin.</p> <p>The overflow channel would be a dry shallow depression other than in significant storm events e.g. 1 in 5 year or heavier, and is in place to divert heavy storm flows around the retarding basin as they would destroy the filtration vegetation within the retarding basin. With the over flow channel in place the water safely flow into the creek as it does presently. Any water asset requires a flow into the creek, and this design does this.</p> <p>This will however, be represented differently on the Plan to remove any risk of confusion.</p>	Decision pending further review
22.6	Section 3.5, Page 4	Ensure permit conditions accurately reflect current DELWP requirements	Section 3.5 - modify the first dot point to: "Strategies to avoid land locking kangaroos, including staging of subdivision;"	Agreed – change the amendment. Including staging is a useful prompt to the applicant as this is the primary strategy to protect kangaroos from becoming trapped within urban development.	Resolved
22.7	Section 4.2, Page 5	As above	Section 4.2 - delete the word "Conditions" in the heading: Biodiversity and Threatened Species – Conditions	Agreed – change the amendment. The sentence following the heading indicates that the relevant text should be applied as conditions.	Resolved
22.8	Section 4.2, Page 5	As above	Section 4.2 - In the first line, add the words "and permit note" to the end of the sentence" "... must contain the following conditions and permit note:"	Likely beyond power – The MPA submit it is not possible to include such a provision in the planning. It is not clear that a head of power exists in the Act or the planning scheme which allows a provision instructing the addition of notes to a permit.	Decision pending further review
22.9	Section 4.2, Page 5	As above	Section 4.2 – add the following new condition: "Environmental Management Plans The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment Land Water and Planning, unless otherwise agreed by the Department of Environment Land Water and Planning."	Likely duplication of existing condition – no change to the amendment proposed by DELWP. The MPA and DELWP developed the condition 'Protection of conservation areas and native vegetation during construction' for the purposes of environmental management during construction. That condition streamlines the process by setting out the actual requirements for environmental management during construction thus avoiding the need for a further approval.	Decision pending further review
22.1	Section 4.2, Page 5	As above	Section 4.2 - replace the "Salvage and Translocation" condition with the following: <ul style="list-style-type: none"> <li>"The Salvage and Translocation Protocol for Melbourne's Growth Corridors (Department of Environment Land Water and Planning, 2015) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment Land Water and Planning."</li> </ul>	MPA to request a copy of the named document for review prior to implementing change.	Decision pending further review

22.11	Section 4.2, Page 5		<p>Section 4.2 – minor wording changes are required, please replace the “Protection of conservation areas and native vegetation during construction” condition with the following:</p> <p>“A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated Craigieburn North Employment Area Precinct Structure Plan must ensure that:</p> <p>Before the start of construction or carrying out of works, the developer of the land must erect a vegetation protection fence that is:</p> <ul style="list-style-type: none"><li>• highly visible</li><li>• at least 2 metres in height</li><li>• sturdy and strong enough to withstand knocks from construction vehicles</li><li>• in place for the whole period of construction</li><li>• located the following minimum distance from the element to be protected:</li></ul> <p>Element Conservation area- 2 metres Scattered tree twice the distance between the tree trunk and the edge of the tree canopy Patch of native vegetation- 2 metres</p> <p>Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:</p> <ul style="list-style-type: none"><li>• be located more than 15 metres from a waterway;</li><li>• be located outside the vegetation protection fence;</li><li>• be constructed and designed to ensure that the conservation area or scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan, and any located trees identified in the Planning Scheme Provisions to be retained are protected from adverse impacts during construction;</li><li>• not be undertaken if it presents a risk to any vegetation within a conservation area.; and</li><li>• be carried out under the supervision of a suitable qualified ecologist or arborist.”</li></ul>	<p>Change the amendment partially as suggested. The MPA has made revisions to the condition to simplify wording generally consistent with the intent of the DELWP submission.</p>	Decision pending further review
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22.12	Section 4.2, Page 6	As above	<p>Section 4.2 – minor wording changes are required, please replace the “Land Management Co-operative Agreement” condition with the following:</p> <p>“A permit to subdivide land shown in the incorporated Craigieburn North Employment Area Precinct Structure Plan as including the conservation area shown on page 23 of the Precinct Structure Plan as conservation area 34 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:</p> <ul style="list-style-type: none"> <li>• Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987 , which must:</li> <li>-provide for the conservation and management of that part of the land shown as [conservation area name] in the [PSP name] Precinct Structure Plan; and</li> <li>-may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.</li> <li>• Makes application to the Registrar of Titles to register the agreement on the title to the land.</li> <li>• Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.</li> </ul> <p>The requirement for a Land Management Co-operative Agreement in this clause does not apply to land of any lot or part of a lot within the conservation area shown on page 23 of the Precinct Structure Plan as conservation area 34 that:</p> <ul style="list-style-type: none"> <li>• is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or</li> <li>• is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or</li> <li>• is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:</li> <li>-the Secretary to the Department of Environment, Land, Water and Planning;</li> <li>-the Minister for Environment and Climate Change; or</li> <li>-another statutory authority.</li> </ul> <p>to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.”</p>	MPA does not propose to change the amendment. The changes do not change the intent of the amendment and move away from the preferred approach to having consistent conditions across precincts where possible.	Further review/discussion required
22.13		Section 4.2, Page 6	<p>Prior to section 4.3, include:</p> <p>“Permit Note: Operation of Commonwealth Environmental Laws</p> <ul style="list-style-type: none"> <li>•On 5 September 2013 an approval under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval.</li> <li>•Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required.”</li> </ul>	Agreed. This note is useful to remind those reading the scheme of obligations not implemented through use and development provisions that must be fulfilled under the Environment Protection and Biodiversity Conservation Act 1999 (Cth).	Resolved
	Schedule 2 to the Incorporated Plan Overlay				

22.14	Purpose, Page 1	<p>The second purpose listed is: 'to facilitate development of recreation and infrastructure associated with adjoining urban land uses'.</p> <p>The primary purpose of the conservation area is to conserve GGF and other matters of MNES in the CA – not facilitate development of recreation and infrastructure.</p>	<p>Update wording to: 'to facilitate manage development of recreation and infrastructure associated with adjoining urban land uses'.</p>	<p>Change wording to: 'to manage the development of recreation and infrastructure associated with adjoining land uses'. The order of the different purposes in the schedule does not indicate primary or secondary importance. Both purposes are to be balanced in determining an application. The second purpose is relevant here as the Merri Creek Corridor provides for a number of environmental and social outcomes that require thought about how the different areas integrate.</p>	Resolved
22.15	2.2.1, Page 1	Wording requires updating	<p>Update wording to:</p> <p>Protection of conservation areas and native vegetation during construction A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated Craigieburn North Employment Area Precinct Structure Plan must ensure that:</p> <ul style="list-style-type: none"> <li>• Before the start of construction or carrying out of works, the developer of the land must erect a vegetation protection fence that is:</li> <li>• highly visible</li> <li>• at least 2 metres in height</li> <li>• sturdy and strong enough to withstand knocks from construction vehicles</li> <li>• in place for the whole period of construction</li> <li>• located the following minimum distance from the element to be protected:</li> </ul> <p>Element Conservation area 2 metres Scattered tree twice the distance between the tree trunk and the edge of the tree canopy Patch of native vegetation 2 metres</p> <ul style="list-style-type: none"> <li>• Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:</li> <li>-be located more than 15 metres from a waterway;</li> <li>-be located outside the vegetation protection fence;</li> <li>• be constructed and designed to ensure that the conservation area or scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan, and any located trees identified in the Planning Scheme Provisions to be retained are protected from adverse impacts during construction;</li> <li>• not be undertaken if it presents a risk to any vegetation within a conservation area.; and</li> <li>• be carried out under the supervision of a suitable qualified ecologist or arborist.</li> </ul>	<p>Change the amendment partially as suggested. The MPA has made revisions to the condition to simplify wording generally consistent with the intent of the DELWP submission.</p>	Resolved

22.16	2.2.2	Wording requires updating	<p>Update Wording to:</p> <p>Land Management Co-operative Agreement – Conservation Areas A permit to subdivide land shown in the incorporated Craigieburn North Employment Area Precinct Structure Plan as including the conservation area shown on page 23 of the Precinct Structure Plan as conservation area 34 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:</p> <ul style="list-style-type: none"> <li>Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987 , which must: <ul style="list-style-type: none"> <li>provide for the conservation and management of that part of the land shown as [conservation area name] in the [PSP name] Precinct Structure Plan; and</li> <li>may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.</li> <li>Makes application to the Registrar of Titles to register the agreement on the title to the land.</li> <li>Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.</li> </ul> </li> </ul> <p>[TBC...]</p> <p>The requirement for a Land Management Co-operative Agreement in this clause does not apply to land of any lot or part of a lot within the conservation area shown on page 23 of the Precinct Structure Plan as conservation area 34 that:</p> <ul style="list-style-type: none"> <li>is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or</li> <li>is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or</li> <li>is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to: <ul style="list-style-type: none"> <li>the Secretary to the Department of Environment, Land, Water and Planning;</li> <li>the Minister for Environment and Climate Change; or</li> <li>another statutory authority.</li> </ul> </li> </ul> <p>to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.”</p>	MPA does not propose to change the amendment. The changes do not change the intent of the amendment and move away from the preferred approach to having consistent conditions across precincts where possible.	Further review/discussion required
22.17	n/a	Include condition regarding salvage and translocation	<p>Update wording to:</p> <p>Salvage and translocation</p> <ul style="list-style-type: none"> <li>The Salvage and Translocation Protocol for Melbourne's Growth Corridors (Department of Environment Land Water and Planning, 2015) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment Land Water and Planning.</li> </ul>	MPA to request a copy of the named document for review prior to implementing change.	Further review/discussion required



22.18	n/a	Include condition regarding Environmental Management Plan	<p>Update wording to:</p> <p>Environmental Management Plans</p> <p>A planning permit for subdivision, buildings or works on land shown as a conservation area in the incorporated Craigieburn North Employment Area Precinct Structure Plan must include the following condition:</p> <ul style="list-style-type: none"> <li>The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment Land Water and Planning, unless otherwise agreed by the Department of Environment Land Water and Planning.</li> </ul>	Likely duplication of existing condition – no change to the amendment proposed by DELWP. The MPA and DELWP developed the condition ‘Protection of conservation areas and native vegetation during construction’ for the purposes of environmental management during construction. That condition streamlines the process by setting out the actual requirements for environmental management during construction thus avoiding the need for a further approval.	Further review/discussion required
22.19	n/a	Include condition relating to Kangaroo Management	<p>Include the following:</p> <p>Kangaroo Management</p> <p>All applications for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:</p> <p>Kangaroo Management Plan which includes:</p> <ul style="list-style-type: none"> <li>strategies to avoid land locking kangaroos, including staging of subdivision;</li> <li>management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence</li> <li>management and monitoring actions to sustainability manage a population of kangaroos within a suitable location</li> </ul> <p>Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:</p> <ul style="list-style-type: none"> <li>a copy of the approved Kangaroo Management Plan;</li> <li>a ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.</li> </ul>	Agree. Copy across from the Urban Growth Zone.	Resolved
22.2	n/a	Include condition relating to Kangaroo Management Plans	<p>Include the following:</p> <p>Kangaroo Management Plan</p> <ul style="list-style-type: none"> <li>Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the Responsible Authority and form part of the permit.</li> <li>The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the Responsible Authority.</li> </ul>	Agree. Copy across from the Urban Growth Zone.	Resolved
22.21		3 Correct Typographical Error	Correct the word 'conservation' when referring to Commonwealth Legislation.	Agree. Review Schedule for spelling.	Resolved
	Precinct Structure Plan				
22.22	<p>Page 6, plan 2</p> <p>Page 8, plan 3</p> <p>Page 12, plan 4</p> <p>Page 20, plan 5</p> <p>Page 22, plan 6</p> <p>Page 23, Figure 4</p> <p>Page 26, plan 7</p> <p>Page 28, plan 8</p> <p>Page 30, plan 9</p> <p>Page 34, plan 10</p> <p>Page 36, plan 11</p> <p>Page 40, plan 12</p>	The mapping does not show the accurate location of the current conservation area boundaries. This is particularly important for the permit condition requiring a land management co-operative agreement as it relates to the conservation area being referenced in the PSP.	Modify mapping to demonstrate current conservation area boundaries.	The mapping as shown in the PSP was agreed and signed off by the DELWP on 22 September 2014. This approval has since been provided back to DELWP who have replied that this comment was made in error.	Resolved

22.23	Page 23, figure 4	<p>In various areas we have requested the permit conditions which require a land management co-operative agreement refer to this plan. It must therefore have the conservation number in the plan title.</p> <p>The plan also refers to an outdated department name within that text.</p>	<p>Modify the plan title to: “Figure 4 Growling Grass Frog Conservation Area 34 – Concept Plan”</p> <p>Update the department name in the text to Department of Environment, Land, Water and Planning</p>	Agreed. This change can be made.	Resolved
22.24	multiple	Plans do not clearly show that Laffan Reserve is part of the conservation area.	Laffan Reserve should be clearly shown as being part of the conservation area. This could be achieved by hatching the Laffan Reserve layer.	Agreed. This change can be made.	Resolved
22.25	Page 8, plan 3 Page 30, plan 9 Page 40, plan 12	The legend identifies Laffan Reserve as unencumbered. While the reserve is recognised by DELWP as an ‘active recreation location’ future use and development within the reserve will still be regulated to a degree by its location within the conservation area.	Delete “unencumbered” reference to Laffan Reserve from the legend.	Agreed. This change can be made.	Resolved
22.26	Page 22, plan 6	The plan appears to show a native vegetation patch in the north eastern corner of the precinct (within the conservation area) that is not part of DELWP’s timestamping data layer and should be removed.	Delete visual references of native vegetation patches to be retained within the conservation area, and instead ensure that the conservation area is accurately mapped.	Agreed. This change can be made.	Resolved
22.27	Page 25	R17 refers to industrial development when the industrial component has only a small interface with the conservation area.	In R17, line 5, replace the words “industrial development” with “buildings and development”.	Agreed. This change can be made.	Resolved

AMENDMENT C198 - CRAIGIEBURN NORTH EMPLOYMENT AREA PSP 25.1

Submission Table- Panel Hearing - November 2015

Version for Part A: 5/ 11/2015

Sub. #	Section/ Page	Issue Raised	MPA Comment / Proposed Outcome	STATUS
1	HUME CITY COUNCIL			
11.1		<p><b>Properties entirely encumbered by the Growling Grass Frog (GGF) Conservation Area</b></p> <p>In relation to properties entirely encumbered by GGF Conservation Areas, Council believes that landowners must be provided with an incentive to fulfil the conservation outcomes in accordance with the requirements of the BCS or provided with appropriate compensation as part of a process for acquisition of the land. One option could be applying a PAO as part of this Planning Scheme Amendment. Acquiring land would also help achieve the long term intent of the Merri Creek becoming a regional open space as set out in the <i>North Growth Corridor Plan</i>.</p>	<p>The MPA has implemented the area required for the GGF corridor as set out by the approval of the BCS by the Federal Government in September 2013. The PSP reflects that area (with minor refinements to the boundary as approved) that is required to meet the Federal obligations set out in the BCS.</p> <p>The GGF Strategy points out that 'Category 1 GGF corridor will be excluded from development and will be protected and managed for GGF conservation in perpetuity. The final boundaries of these habitat areas may change slightly to deal with local site conditions during the precinct structure planning process. Any variations must not reduce the total area of the GGF corridor within the relevant precinct or have any detrimental effect on the functioning of the corridor for the GGF and must be to the satisfaction of DEPI [DELWP].'</p> <p>This proposed amendment, including the agreed realignment, does not fully encumber a landowner that isn't already fully encumbered by the Growling Grass Frog Conservation Area. The realignment has resulted in no change in area to each property that is covered by the GGF corridor. The full background to this is provided within the background report by Ecology Australia.</p> <p>It is not within MPA's jurisdiction to address the acquisition of this land as it currently cannot be implemented as part of this amendment. There is no clarity around how these properties are managed and whether they will be acquired in the longer term.</p>	<p>Unresolved Refer to panel</p>
		<b>CRAIGIEBURN NORTH EMPLOYMENT AREA PSP</b>		
		<b>Road Bridge over Merri Creek</b>		

11.2		<p>In relation to Plan 3, a CHMP and geotechnical assessment need to be produced to identify a location for the road bridge over Merri Creek that minimises impacts on areas of cultural heritage values and considers ground conditions. This should be part of 'setting the scene', as if the bridge needs to move from its current location, the cost estimates in the DCP (for a 50m span) might be short of what is required.</p>	<p>The MPA has not facilitated a CHMP as it is not a development proponent. Funding, however, has been included in the DCP for a CHMP and Geotechnical Assessment of the Road Bridge within the bridge costing. MPA is confident that the general location for the bridge has been established. The MPA and RAP walked the length of the Merri Creek to identify the most appropriate location for a crossing without the need to carry out a full CHMP at the early strategic stage of Planning. Refer to Cultural Values Assessment for general outline of preferences for location of the bridge in the absence of the CHMP.</p> <p>Moremac is undertaking CHMP and Geotech at this time. The results of this have been carried out and have been provided to English Street Panel. An update will be provided on behalf of the development proponent.</p> <p>Additional work established that the bridge would need to move north from its current location and this is area of the creek is narrower to the north than the current position.</p> <p>The Panel report for C183 recommends that this issue has been adequately addressed, as sufficient contingency has been written into the bridge costing to account for a slight relocation, and the evidence presented at C183 hearing provided 'solid evidence that the likelihood of the bridge moving was low'. The MPA considers that this issue does not need to be raised again at this C198 Panel.</p>	<p>Unresolved Refer to panel</p>
11.3		<p>Council requests that information is provided from the Registered Aboriginal Party that confirms its acceptance of the potential crossing locations as illustrated by the 'affected land' in Plan 11, and would not seek an alternative alignment beyond this area when the CHMP is produced.</p>	<p>The Wurundjeri have endorsed the proposed crossing locations, on the condition that the areas will be subject to a complex CHMP assessments prior to the construction of the bridges. This information has been provided to Council. CHMP and Geotechnical investigations are more suitably undertaken within the subdivision process - the structure plan and the DCP aim to set the general location , form and cost of the bridge only. A contingency of 20% has been included in the costing.</p> <p>The consent order set out in dealing with a number of issues associated with the bridge between Hume, MPA, City of Whittlesea and English Street Developments that submissions could be made to this panel if it transpires that the bridge required relocating.</p> <p>The Panel report recommends that this issue was adequately addressed through the C183 Panel Hearing. The MPA considers that this issue does not need to be raised again at this C198 Panel.</p>	<p>Unresolved Refer to panel</p>

11.4		<p>Council requests that the amendment documentation or PSP better explain what information has been used to determine the limits of the 'affected land'.</p>	<p>The 'affected area' was identified to allow for refinement of the location of the crossing, the buffer does not just refer to CHMP affected area, as the MPA cannot determine which land is subject to a CHMP as this is managed under the Aboriginal Heritage Act.</p> <p>It is the development agency's role under the DCP to manage the detailed implementation of infrastructure to their satisfaction. However, the MPA agrees that the wording can be clarified and affected land can be shown more clearly on Plan 11.</p> <p>Wording now agreed: 'development within the 'project buffer area for possible bridge realignment' identified in Plan 11 adjacent to the future bridge crossing of the Merri Creek is not permitted until the exact location for bridge abutments has been confirmed through a geotechnical assessment and a Cultural Heritage Management Plan (CHMP), or unless otherwise agreed by the responsible authority and the City of Hume.'</p> <p>MPA discussed and agreed at a meeting with Hume on 29/10/2015 to recommend to Panel that where such issues require refinement over an image, or small editorial changes that have been agreed as the way forward, that the MPA will work with and obtain 'sign off' from Hume on matters isolated to their submissions prior to the adoption/ approval of the document. The position agreed between parties is as explained above.</p>	Decision pending further review
		<b>Precinct Infrastructure Plan</b>		
11.5		<p>Council requests that the timings column is removed from Table 4 of the Precinct Infrastructure Plan. Alternatively a column showing priorities, indicative of a likely sequence, could be produced, consistent with the Preferred Staging of Development Plan proposed by Council for the DCP.</p>	<p>The timings column is included in line with current practice for PSP preparation, but MPA consider it possible to change the title of column to 'Priority' instead to be titled differently to Low, Medium and High. The reason we believe this is appropriate in this instance, is that the timing of development is unclear. MPA propose to also include a disclaimer below that states 'development staging is indicative only and infrastructure delivery is at the discretion of the collecting agency, or relevant lead agency.'</p>	Resolved
		<b>Development Staging Plan</b>		
11.6		<p>A Development Staging Plan should be produced, in accordance with the PSP Guidelines.</p>	<p>The PSP establishes a 30 year plan for the precinct. The timing and staging of the development will depend on the demand for urban land and it is not appropriate to limit it geographically.</p> <p>To make this inadvertently clear to prospective developers, MPA recommends that G28 will be upgraded to a requirement and the wording will be set out as follows: 'development viability and staging in this precinct will be determined largely through the availability and provision of infrastructure in order to access and service each development site. Within this context, development must: - ensure the safe and orderly vehicular access to the existing arterial network; and - provide access to each new lot via a sealed road to service the development and constructed to an industrial standard, all to the satisfaction of the responsible authority.'</p>	Resolved
		<b>Interface to the Merri and Kalkallo Creeks</b>		

11.7		Key access roads should be re-oriented at properties 25.1-40, 25.1-41, 25.1-43, 25.1-3 and 25.1-2 to guarantee frontage to the Conservation Area. In the absence of any testing to confirm the MPA's previously stated position that this would adversely affect the development viability of these parcels, Council considers that a road fronting the creek could be provided without creating unacceptable costs to the development, particularly as a commercial area is likely to have finer grain blocks for office development.	Agreed that creek frontage is the best outcome. An access road will be provided fronting the creek.	Resolved
11.8		Intersection IN-25.1-1 should be re-positioned to north-east slightly, closer to the Merri Creek bridge, so that it creates more viable development parcels to the north and south of the bridge.	Agreed, this can be relocated to provide a better outcome for properties adjacent to the creek.	Resolved
11.9		Council provided a revised urban structure plan and a revised road network plan to reflect the changes in items (6) and (7) above.	<p>The revised street network will be similarly shown as identified in Hume's submission. The local streets will need to be configured differently around the roundabout to ensure that only two streets intersect at the roundabout.</p> <p>MPA discussed and agreed at a meeting with Hume on 29/10/2015 to recommend to Panel that where such issues require refinement over an image, or small editorial changes that have been agreed as the way forward, that the MPA will work with and obtain 'sign off' from Hume on matters isolated to their submissions prior to the adoption/ approval of the document. The position agreed between parties is as explained above.</p>	Decision pending further review
11.10		Council provided alternative cross-sections for Figure 2, with the following changes: a) Frontage Road: Minimum width for road fronting the Conservation reserve would be 18.1m rather than the 14.5m shown. This is in line with Council's minimum standard for an industrial road.	The frontage road as suggested in Hume's submission is considered not to be the best outcome, as the most predominant land use will not be industrial at this location, and will be mainly commercial uses. however, MPA agrees that the frontage road cross-section is narrow and recommends a 7m carriageway with 2.6m car parking lane on one side, but with retention of a 2.2m nature strip adjacent to the boundary of the conservation area.	Resolved
11.11		Direct Frontage: This cross-section should be removed from the PSP as industrial/commercial development should not front the creek without road access. Council also notes that this cross-section poses bushfire risk and Council has concerns for the safety of its maintenance staff who would be working in isolated areas with poor surveillance.	<p>Agreed. An access road will be provided fronting the creek, so the direct frontage cross section will be removed.</p> <p>MPA maintains that the 2.2m wide nature strip is sufficient adjacent to a conservation area boundary.</p>	Decision pending further review
		<b>Other cross-sections</b>		
11.12		Council has provided altered cross sections to replace the following: a) Appendices, Section 4.3, Secondary Arterial. To reflect a one way local frontage road needing a minimum of 7m width pavement and 10m for a two way local frontage road.	To be consistent with industrial access streets, a 7m carriageway is considered acceptable in this location to allow turning truck movements into lots. The width of local access streets are at Council's discretion.	Resolved
11.13		Appendices, Section 4.5 Connector street: As per the <i>PSP Notes Road Networks and Cross Sections</i> parking widths for industrial connector roads should be at least 2.6m, rather than the 2.1m shown. Council suggests removing the pedestrian path (1.5m) and making the 3.0m two way bike path a 3.0m shared path, with the 1.5m used to create 2.6m parking widths (from 2.1m) and increase the nature strip on one side from 3.0m to 3.5m for services.	Agree, parking bays should be 2.6m. MPA now recommends making the section 25.5m wide. The two way bike path is now proposed as a shared path, as cycle and pedestrian movements will be low. For this reason the pedestrian path will be deleted from the side of the road with the shared path as it is considered unnecessary.	Decision pending further review
		<b>Improvements/ Corrections</b>		

11.14		The PSP should include a discussion regarding the distinction between Commercial Precincts A and B.	The primary difference between Commercial Precincts A & B relate to the zoning of the precincts. Precinct A is intended to allow for some restricted retail and Precinct B is intended to provide a more sensitive interface to the residential and conservation uses to the north and east with business park uses. This will be further described within the PSP and through the amendment of the vision. This will be addressed in the MPA submission further, the intent of the PSP Document.	Resolved
11.15		<p>The PSP should include the following to facilitate an integrated design should a bulky goods centre or area be pursued in this precinct:  A new requirement stating: "<i>The design of any restricted retail centre or area must be integrated even where development is proposed on multiple adjoining properties and:</i>  ~ <i>Provide for easy vehicular and pedestrian movement to <u>all</u> restricted retail tenancies within the centre or area</i>  ~ <i>Provide integrated car parking with dedicated pedestrian routes that enables access to all tenancies and a 'park once' approach</i>  ~ <i>Limit fencing and landscaping which prohibits vehicular and pedestrian movement between tenancies</i>  ~ <i>Provide dedicated access arrangements for servicing and delivery vehicles from the road network or a clearly separate arrangement where access is proposed from the car park.</i>"</p> <p>If preferred, the following dot points could be removed from the requirement and inserted as guidelines as follows:  ~ <i>"Easy vehicular and pedestrian movement should be provided to all tenancies with the restricted retail centre or area.</i>  ~ <i>Car parking should be designed to service the entire centre with dedicated pedestrian routes to provide good pedestrian access to all tenancies and a promote a 'park once' approach.</i>  ~ <i>Fencing and landscaping should not prohibit pedestrian movement within the centre.</i>  ~ <i>Servicing and loading areas should be accessed from the road network or a clearly separate access within the car park".</i></p>	<p>Agreed. Insert requirement as requested.  "The design of any restricted retail centre or area must be integrated even where development is proposed on multiple adjoining properties and:  ~ Provide for easy vehicular and pedestrian movement to all restricted retail tenancies within the centre or area;  ~ Provide integrated car parking with dedicated pedestrian routes that enables access to all tenancies and a 'park once' approach;  ~ Limit fencing and landscaping which prohibits vehicular and pedestrian movement between tenancies; and  ~ Provide dedicated access arrangements for servicing and delivery vehicles from the road network or a clearly separate arrangement where access is proposed from the car park."</p>	Resolved
11.16		Amend Plan 3 to make it easier to distinguish between road reserve and key access streets.	Plan 3 will be amended to provide greater differentiation between road reserves and key access streets.	Resolved
11.17		Amend Plan 3 to give Laffan Reserve its own reference in the legend as 'active open space' rather than 'drainage open space (encumbered).'	Agreed. This will be distinguished.	Resolved
11.18		Consolidate the isolated strip of local park between MWs drainage line and retarding basin with MW's assets and remove it from LP1.	Agreed. LP1 is a conceptual Drainage Scheme only and will be subject to change through the detailed design. MPA agreed with Melbourne Water that this wetland design will be changed for detailed design. The open space area will be removed from this location and relocated elsewhere in the PSP where an area	Decision pending further review
11.19		O13 - include reference to the Kalkallo Creek	Agreed.	Resolved
11.20		G6 - Add conservation areas to the third bullet level	Agreed.	Resolved
11.21		The area of the future Laffan Reserve as depicted in plan 5 is smaller than 6.7 ha described.	Agreed, it is close to 5ha.	Resolved



11.22		Update the Habitat Compensation Layer to add the native vegetation patches to be retained in Plan 6, to ensure that the landowners of LP3 and LP4 do not need to pay Habitat Compensation Obligations.	Disagree. The Guidance Note: Implementing the BCS for Melbourne's Growth Corridors, Working Document Feb 2015 specifies when native vegetation is exempt from habitat compensation fees. There are a number of criteria that must be met in order to consider an exemption, and the areas of native vegetation do not meet these. The MPA cannot change the boundaries of native vegetation and DELWP would have to agree to future changes to this guidance before allowing a change in this area. DELWP is currently considering how to manage these difficult instances, whether this be a waiver of fee or a discount.	Unresolved Refer to panel
11.23		R17 - Development should also be to the satisfaction of the Responsible Authority.	Agreed.	Resolved
11.24		Plan 7 should show shared paths connecting to the shared paths currently shown along the Merri Creek and drainage line. Revised plan provided by HCC.	Agreed, the MPA will amend Plan 7 in line with the suggested shared path.	Decision pending further review
11.25		Plan 8 - Summerhill Rd is proposed to be six lanes east of Brookville Drive. Clarification requested whether this section would become a primary arterial rather than secondary as indicated.	The road will ultimately become a secondary arterial, but VicRoads will build the overpasses which will convert those sections of the road to six lanes. The PSP will fund land for a secondary arterial, but will acquire land for Vicroads so that the area to the west of Brookville Drive will be a primary arterial. This will be shown on Plan 8.	Decision pending further review
11.26		Table 4- The description of Summerhill Road should refer to both six and four lanes	Agreed.	Resolved
11.27		The land for State infrastructure is ultimate not interim	Agreed. This change will be made.	Resolved
11.28		A number of DCP references are incorrect	The projects listed in the Precinct Infrastructure Plan (PIP) differ to DCP as it encompasses all projects, not just DCP items. The PIP has separated out projects dependent on agency and priority for delivery.	Resolved
11.29		The Merri Creek Road bridge description should read- two two lane bridges, not a two-lane interim, four-lane ultimate bridge, unless the MPA makes the changes requested in this submission.	The MPA will only be funding the interim which is for one two-lane bridge. This is consistent with English Street PSP panel recommendation.	Decision pending further review
11.30		The description of IN-25.1-7 should not mention Brookville Drive	Agreed.	Resolved
11.31		Plan 11 - request amendment to identify the part of the 'affected land' that would require a CHMP and geotechnical survey to give certainty to the crossing location.	The area marked as 'affected area' was identified to allow refinement to the location of the crossing. MPA's intention was that the 'affected area' is not only limited to the results of a CHMP, but also the Geotechnical area and area required for road leading toward the bridge. The MPA cannot determine which land is subject to a CHMP as this is managed under the Aboriginal Heritage Act, however the MPA is willing to mark a general 200m radius around the creek that is subject to CHMP. The area can now only move to the north of the bridge location due to a late submission made by DELWP in Amendment C183, identifying the area to the south of the current bridge location is not appropriate for development. Therefore, MPA recommends that the area marked as 'affected land' will be relabelled 'project buffer area for possible bridge realignment' and is now limited to the location of the bridge and 50m north of its current location. MPA considers this satisfactory given the results of the CHMP and Geotechnical work that has already been carried out. The English Street Panel report recommends that this change be made as set out in our response.	Decision pending further review



11.32		R48 - Requests wording be made clearer, suggested wording: " <i>Subdivision of affected land on lots identified in Plan 11 adjacent to the future bridge crossing of the Merri Creek is not permitted until the exact location for bridge abutments has been confirmed through a geotechnical assessment and a CHMP for the entire affected area of each property, unless otherwise agreed by the Responsible Authority and the City of Whittlesea.</i> "	The following wording is recommended: 'development within the 'project buffer area for possible bridge alignment' identified in Plan 11 adjacent to the future bridge crossing of the Merri Creek is not permitted until the exact location for bridge abutments has been confirmed through a geotechnical assessment and a cultural heritage management plan (CHMP), or unless otherwise agreed by the responsible authority and City of Whittlesea'.	Resolved
11.33		A new development staging requirement should be added to require all new industrial or commercial developments to have access to the surrounding primary arterial road or freeway by roads constructed to an industrial standard, unless agreed by the responsible authority. This reflects the need to upgrade Brookville Drive to an industrial road standard.	Agreed. G28 has been moved to a requirement and amended. Suggested wording as follows: 'development viability and staging in this precinct will be determined largely through the availability and provision of infrastructure in order to access and service each development site. Within this context, development must: - ensure safe and orderly vehicular access to the existing arterial network; and - provide access to each new lot via a sealed road to service the development and constructed to an industrial standard, all to the satisfaction of the responsible authority.'	Resolved
11.34		Amend 2nd dot point of G28 to read: " <i>Access to each new lot must be via a sealed road constructed to an industrial standard.</i> "	Agreed, see above comment.	Resolved
11.35		Amend R50 to account for the three high risk properties identified in the background report. These should also be included in the list of properties as requiring a site assessment. An ESA for these properties should be triggered by industry, warehouse, retail or office use as well as sensitive uses, as per the State Govt's <i>Potentially Contaminated Land General Practice Note</i> .	Agreed, but it was decided that R50 should be removed, so that it is not inconsistent with the UGZ which has more clearly set out all properties identified in the background report.	Decision pending further review
11.36		Amendments recommended to R52 including: ~ Opening sentence - there are no open spaces delivered via the DCP in this precinct. ~ Third bullet - there are no active reserves that would be created on subdivision. ~ Seventh bullet - remove reference to the installation of bbqs, as this would require the installation of public toilets.	Agreed, except that reference to barbeques remains but referred to as 'may'.	Resolved
11.37		Remove references to two charge areas throughout the document.	Agreed. Commercial and Industrial sections may remain, but references to charge areas removed, as there is only one charge area.	Resolved
11.38		Remove the 3m shared path from Figure 6	Cross section will be amended. The path will also be removed, as it connects to a nature conservation area where no path can be proposed. No parking is required at this point and therefore will only be 7m wide.	Resolved
11.39		Table 6 (also applies to Appendix 1 of the DCP) - clarify where the 1.12 ha local park on property 25.1-33 is located.	This area is all intended for waterway asset. Land budget will need to be revised.	Resolved
11.40		Table 6 (also applies to Appendix 1 of the DCP) - whether the retarding basins in properties 25.1-42 and 25.1-43 are included in the conservation area column, and if so, whether this is appropriate.	It has been agreed between DELWP, the MPA and Melbourne Water, that the water assets can be located within the conservation area, as specified in the Conservation Area Concept Plan. The land budget will need to be revised to differentiate the area for wetland/retarding basin,	Resolved

11.41		Appendices, 4.5 - Primary arterial cross section should also apply to Summerhill Road, west of Brookville Drive.	Due to the nature of Summerhill Road changing so frequently at intervals from a primary arterial to a secondary (due to the future overpasses at two locations), it is considered that a cross-section would not be helpful to demonstrate the road design. It would be better to use the street cross sections already in the PSP to demonstrate it. A new cross section can be created that will be the same as the Primary Arterial Road, but removing reference to 'Donnybrook Road'. The one that remains with reference to Donnybrook Road will now have the local frontage access street removed, as that would be in a conservation area.	Further review/discussion required
11.42		Appendices, 1.2 - Add the following to the General Principles for Service Placement: ~ Drainage is preferred behind back of kerb. ~ Allowed under road pavement in certain circumstances. ~ Drainage is not allowed under kerb.	This will be amended to be clear on these points.	Resolved
		<b>Comments on the DCP</b>		
		<b>Intersection IN- 25.1-6</b>		
11.43		Intersection IN-25.1-6: A PAO should be applied to the land for the intersection which is affected by Conservation Area 27. The DCP then needs to account for the cost of acquiring this land.	MPA has confirmed with DELWP that the intersection cannot encroach upon land into Conservation Area 27. It will not allow for the acquisition of this land and the intersection location will need to move slightly away from that corner. This will need to be shown in a new engineering drawing and the project RD-25.1-3 will need to be shown on Plan 4 slightly differently, due to a section of road being moved east of the intersection IN-25.1-6, now over to the right of this intersection. The same measurement will apply to the overall length of the project, so no change to costing is required.  The additional island area created adjacent to the conservation area, will not be publicly acquired, but it will revert to a local park, to gain back the area of park lost at LP1 which is being reverted to MW asset. Hume have agreed to the approach on this basis.	Further review/discussion required
11.75		Page 61 of the DCP has 0.54ha for prop 18 (IN-25.1-5) but page 60 of the DCP has 0.65ha for the same area. The DCP tables you send through use 0.65 ha. Just checking that the 0.54ha is an error or whether it should be added on.	Page 61 specifies a total area of 0.54 + 0.14 ha = 0.68 ha for section of Amaroo Road. Page 60 specifies a total area of 0.65 ha for the intersection that covers over property 25.1-18. The two projects in total come to: 1.233 ha , then with the additional 0.9 ha for the bridge project over the Hume Freeway, comes to 2.133 ha in total, which is different to the 1.94ha as specified in table 8. This will be amended and checked.	Further review/discussion required

11.75		The DCP tables report 1.24ha for property 41. 0.32ha is for RD-25.1-1 but RD-25.1-1 does not touch property 41. Think the DCP land area should be 0.92 for property 41.	Disagree. Brookville Drive, English Street and area of IN25.1-1 all take land in property 41. Pages 49-51 demonstrate this in the drawings.	Resolved
11.44		<b>Net Developable Area</b> Net Developable Area: Update to reflect re-oriented key access roads and intersections as per HCC Comment #6, to avoid shortfall in DCP receipts due to creating parcels that are never developed.	An access road has been provided to these lots. The inclusion of the local access road will not be a DCP item and the roundabout intersection costing will not be changed as a redesign is not considered appropriate. The NDA will be updated as a result of the changed land-take as a result of the new layout.	Further review/discussion required
11.45		<b>Road Bridge over Merri Creek</b> Road Bridge over Merri Creek - Council object to the interim bridge design that will make it more costly for the ultimate bridge design. An approach is provided for an upfront 4 lane bridge.	The MPA's position is that it will only fund an interim bridge design. There is nothing stopping the Council in delivering the ultimate at the time of construction of the DCP bridge. DCP planning in Victoria has consistently worked on the basis of a 10 year horizon for developer funding of local infrastructure. The exhibited DCP will service the first 10 years of development and deliver the ultimate land and one carriageway each way. The MPA can demonstrate through the modelling that the ultimate bridge will likely not be required due to demand in the ultimate scenario.  The Amendment C183 panel report recommends that the interim design is the appropriate bridge design for costing purposes.	Resolved
11.46		Council requests that the CHMP and geotechnical assessment studies are undertaken before the DCP is gazetted to give certainty of the location of the bridge and therefore costings. An alternative could be to provide a greater contingency to the bridge costings than applied - 40% suggested.	Moremac is currently undertaking a CHMP and Geotech investigation. A contingency of 20% was agreed in the conclave for English Street.  The Amendment C183 panel report recommends that a sufficient amount of work has been done to resolve this issue and considers the contingency amount proposed by the conclave was sufficient to allow for a change in the location of the bridge.	Resolved
11.47		The costings for the bridge and RD-25.1-1 (the approach to the bridge) should account for the amount of habitat compensation payable for works in Conservation Area 34.	This cost is normally borne at the detailed development stage and therefore should not be considered as part of the DCP. Hume noted in their email on Amendment C183 that they felt the conclave dealt with this issue. Email from Gareth Edgley- 21/08/2015.	Resolved
		Development Staging Plan		

11.48		<p>The DCP should include an additional plan called the 'Preferred Staging of Development Plan' in Appendix 1, which would communicate to the development industry / investment community important implications of the DCP that would otherwise likely be missed. It would outline:</p> <p>~ Costs to the development industry would be minimised if the development progresses from south to north. Out of sequence development would likely have to pay for significant additional works as off-site permit conditions, in addition to DCP obligations to upgrade the road network.</p> <p>~ How a single landowner would develop the site - leveraging off existing infrastructure and minimising out-of-sequence works.</p> <p>~ The plan would not control or restrict development.</p> <p>~ The plan would help investors/developers acquire land at the right price.</p> <p>~ Properties would need to be consolidated to minimise development costs. It would indicate groupings of properties that would be necessary to minimise additional costs as permit conditions.</p>	<p>The PSP establishes a 30 year plan for the precinct. The timing and staging of the development will depend on the demand for urban land and it is not considered appropriate to show a 'preferred staging plan', because if a developer wishes to deliver and pay for the infrastructure up front, it is able to. Objective numbers 24 - 26 and Requirement numbers 48 and 49 ensure that infrastructure will be delivered in a timely manner. G28 will be upgraded to a requirement and clarified further, to make this clear. It is not considered necessary to repeat this in the DCP.</p>	Resolved
		Properties entirely encumbered by the Growling Grass Frog (GGF) Conservation Area		
11.49		<p>Replacement text to current Section 2.2 was provided:</p> <p><i>"Project Timing</i>  <i>All items in the DCP will be provided as soon as is practicable and as soon as sufficient contributions are available, consistent with Section 4.1 and acknowledging the Development Agency's capacities to provide the balance of funds not recovered by this DCP.</i></p> <p><i>Preferred Sequence of Development</i>  <i>Until English Street is extended through the English Street Precinct and over the Merri Creek, and/or the potential interchange with the Hume Freeway is constructed, the only access point from this precinct to the wider network will be to the south via Brookville Drive.</i>  <i>Brookville Drive is not currently suitable for commercial and industrial traffic and requires upgrading to support any development.</i></p> <p><i>To ensure that the Collecting Agency has sufficient development contributions to fund the required upgrade, development should commence at the southern edge of the precinct and extend northwards as shown in the Preferred Staging of Development Plan. Adjoining or groups of properties should be developed together to ensue there is sufficient funding for this upgrade and intersections.</i></p> <p><i>Development of a property ahead of the preferred sequence shown in the Staging of Development Plan will be required to fund the upgrade to Brookville Drive to any future access point/entrance to the property. The cost of such works in excess of the development contributions for that property is unlikely to be credited or reimbursed by the Collecting Agency (see Section 4.1.3)."</i></p>	<p>The suggested wording has been amended at Section 2.2:</p> <p><b>Project Timing</b>  Each item in the DCP has an assumed indicative provision trigger with information available at the time the DCP was prepared. All items in the DCP will be provided as soon as is practicable and as soon as sufficient contributions are available, consistent with Section 4.1 and acknowledging the Development Agency's limitations in providing the balance of funds not recovered by this DCP.</p> <p>Council, as the development agency as well as the collecting agency, will monitor and assess the required timing for individual items and have regard to its capital works program and provision triggers.</p> <p><b>Sequence of Development</b>  Council has noted that until the potential interchange at English Street and the bridge over Merri Creek is constructed, the only access point for heavy goods vehicles will be to the south via Brookville Drive.</p> <p>In the absence of the connections from English Street, Development will be required to fund the upgrade to Brookville Drive to service the property. The cost of such works in excess of the development contributions for that property is unlikely to be credited or reimbursed by the Collecting Agency (see Section 4.1.3). This is in line with Council's current policy at the time of preparation of the DCP. To avoid this scenario, development could commence at the south of the precinct and extend northwards to ensure there is sufficient funding for this upgrade and intersections.</p>	Resolved
		<b>Improvements/ Corrections</b>		
11.50		Section 1.2: remove the redundant arrow at bottom of page	Agreed.	Resolved
11.51		Plan 2- the pedestrian bridge should not be represented as a road bridge	Agreed.	Resolved
11.52		Tables 2 and 6- calling commercial and industrial areas 'charge areas' is misleading	Agreed.	Resolved

11.53		Table 3 should be revised to account for the following: -the description of RD-25.1.-1 should include the acquisition of land for the Hume Freeway crossing -The description of RD-25.1-2 should include the acquisition of land for a freeway overpass. -The description of RD-25.1-3 should account for the fact that the road reserve would be variable along summerhill Road, with a larger road reserve west of Brookville Drive to cater for 6 lanes	Agreed.	Resolved
11.54		Table 8- as per earlier comments, this table should account for acquiring land from Conservation Area 27	As noted earlier, the DCP will not acquire land from Conservation area 27 and the intersection will need to be realigned. This will be shown on a new plan and the area will become Local Park.	Resolved
		<b>Comments on the Schedules</b>		
		<b>UGZ8</b>		
11.55		Map 1 to be updated to reflect changes	Agreed.	Resolved
11.56		Amend Clause 2.4 to have a maximum restricted retail floorspace of 25,000 square metres.	Agreed.	Resolved
11.57		Amend Clause 2.4 to remove the provision allowing the development of a shop within the IN1Z.	The shop provision is conditioned to allow for use of the land for a convenience centre and is consistent with the outcomes described in the PSP. It is conditioned in the Schedule to be located only where the PSP has directed it to be. A floorspace cap is recommended if we are to change it to a section 1 use.	Decision pending further review
11.58		Amend Clause 2.5 to be clear that this applies to the Laffan Reserve. It is unclear how the habitat compensation obligation will be triggered for open space if no planning permit is required.	The UGZ will not apply to the Laffan Reserve. The reserve was exhibited with a Rural Conservation Zone and is now to be zoned Public Park and Recreation.  The habitat compensation trigger operates under the power of the Commonwealth approval regardless of these provisions.	Resolved
11.59		Amend Clause 3.4 to include a dot point indicating 'fencing of any public open space'. Clarify point four to identify whether it applies to the land that will become Conservation Area 34 or the whole property.	The MPA considers that the provision appears clear in its application with the exception of the last point which contains a typographical error. Replace ';' and' with a full stop at the end of the dot point.	Decision pending further review
11.60		Update Section 3.6 and 4.6 to reflect HCC comments for R50 of the PSP (Comment 29 above)	As per response to 1.35 above.	Resolved
11.61		Recommends that the permit conditions within Section 4.2 are removed from the UGZ and placed in Schedule to to the IPO. The IPO2 covers the land that these conditions specifically apply to.	Protection of conservation areas and native vegetation during construction' relates to abutting land also. Agree regarding 'Land Management Co-operative Agreement'.	Resolved
11.62		Recommends all land in Conservation Area 34 should be transferred to a public authority during subdivision.	The way that this amendment is dealing with Conservation Area 34 is managed is consistent with the BCS.	Resolved
11.63		Section 4.6 - The Environment Site Assessment should be submitted as part of the subdivision permit, rather than 'before the plan of subdivision is certified'.	The conventional approach is to prevent the commencement of a sensitive use or building and works facilitating a sensitive use until the environmental assessment is completed. There is no reason to prevent permits from being issued in the meantime.	Unresolved Refer to panel
		<b>RCZ</b>		

11.64		The application of the RCZ as it currently stands would prejudice the redevelopment of the Laffan Reserve. A SUZ for the Conservation Area that allowed the 'redevelopment of existing reserves' as a Section 2 use with referral to DELWP has been previously discussed between Council and the State Government.	The MPA has resolved to support retention of the Public Park and Recreation Zone over Laffan Reserve.	Resolved
11.65		DELWP has recently advised HCC that it considers the SUZ the most appropriate zone for the Growling Grass Frog Corridor.	DELWP has advised that currently the RCZ is the most appropriate zoning.	Unresolved Refer to panel
11.66		The RCZ does not address the DELWP as being a referral authority for development in that zone. The draft SUZ better addresses this requirement.	The DELWP can be included as a referral authority in the Incorporated Plan Overlay.	Resolved
		<b>IPO2</b>		
11.67		The condition related to threatened species habitat offsets was dropped between the exhibited PSA docs and the previous version. This condition would have significant implications for the value of some properties and Council is concerned that this information has not been part of the exhibition documentation. Council suggest that this condition is included in Schedule 2 to the IPO, or there would not be a trigger for payment.	The provisions of the amendment provide for notification to applicants of their obligations under the Environment Protection and Biodiversity Conservation Act 1999.  Those obligations remain in place regardless of the planning scheme.	Unresolved Refer to panel
		<b>Schedule 2 to the ESO</b>		
11.68		Council objects to the deletion of Schedule 2 to the ESO, unless provided objectives to realise new open space are replaced in new ordinance. ~ To create a peaceful, passive open space quality in the creek parkland and valley. ~ To provide a linear open space link, including the provision of a shared pedestrian and cycle use path along one side of the waterway corridor. ~ To provide for links, views and access from surrounding areas to the creeks and open space.	These provisions will be proposed to be embodied further in the PSP, as similarly recommended by the Panel in the Amendment C183 Panel Report.	Decision pending further review
		<b>Clause 52.17</b>		
11.69		The clause exempts 'land shown on UGZ8 on planning scheme maps'. Theoretically, this could mean that any native vegetation removal within Conservation Area 34 zoned RCZ (or as Council would prefer, SUZ) would be required to pay offsets under the <i>Permitted Clearance Regulations</i> as well as Habitat Compensation Obligation.	Conservation Area 34 is zoned Rural Conservation Zone and is not subject to the condition exemption in the 52.17 Schedule.	Resolved
11.70		The BCS is intended to provide for all Federal and State offset requirements, and there is therefore no need for the Permitted Clearance Regulations to be triggered in the PSP area.	Noted.	
		<b>Clause 94 (VicSmart)</b>		
11.71		The extension of VicSmart to works beyond the value of \$50,000 currently set in State Government's guidance for minor building and works schedule is not supported on this site. This clause should be removed or amended to refer solely to building and works up to a value of \$50,000.	MPA have discussed and agreed with Hume that this would not be appropriate to extend the VicSmart provisions for this area. Smaller applications already use the VicSmart Process, and Hume's internal processes is to manage all applications through the pre-application process, then allowing for a 'fast-tracked' planning application once the details are correct.  At this stage it is difficult to foresee the size of the developments that will occur in this area in future. Without an understanding of the size and type of development that will eventuate, it is considered best in this instance to have applications coming in through the regular permit process to allow for the additional time that may be needed to consider infrastructure delivery/ funding and to consider the additional requirements that are addressed through the PSP.  MPA are currently confirming our position on this matter.	Decision pending further review

11.72		Amend Table 3 - provisions for the advertising sign should provide for a maximum signage advertising sign of 10 sqm as specified in State Government's guidance. Likewise the car parking should specify 10 car spaces maximum, consistent with the guidance.	<p>See above. It would not be worthwhile continuing with the implementation of these two smaller provision requirements without proceeding with the buildings and works provision.</p> <p>MPA are currently confirming our position on this matter.</p>	Decision pending further review
11.73		<p><b>PAO</b></p> <p>Council consider that a PAO is required for land in Conservation Area 27 that is required for intersection IN-25.1-6</p>	As noted earlier, the DCP will not acquire land from Conservation area 27 and the intersection will need to be realigned. The area will become Local Park. This will be shown on a new plan.	Resolved
11.74		Council considers that a PAO should be considered for properties 25.1-2, 25.1-44, 25.1-47, 25.1-48 and 25.1-49 to help achieve the objectives of the BCS.	<p>The MPA has implemented the area required for the GGF corridor as set out by the approval of the BCS by the Federal Government in September 2013. The PSP reflects that area (with minor refinements to the boundary as approved) that is required to meet the Federal obligations set out in the BCS.</p> <p>The GGF Strategy points out that 'Category 1 GGF corridor will be excluded from development and will be protected and managed for GGF conservation in perpetuity. The final boundaries of these habitat areas may change slightly to deal with local site conditions during the precinct structure planning process. Any variations must not reduce the total area of the GGF corridor within the relevant precinct or have any detrimental effect on the functioning of the corridor for the GGF and must be to the satisfaction of DEPI [DELWP].'</p> <p>It is not within MPA's jurisdiction to address this concern and therefore acquisition of this land is not part of this amendment. Any decision to begin acquisition would need to be directed to us from the Federal Government.</p>	Unresolved Refer to panel



Sub. #	Section / Plan / Requirement	Issue Raised	Submitter Comment / Proposed Outcome	MPA Comment / Proposed Outcome	STATUS
7	Melbourne Water				
7.1	Plan 1- Regional Context	In the legend there is a label for floodplain, however this is not represented on plan.	Either show the floodplain on plan or remove label from legend.	Amendment to be made as recommended.	Resolved
7.2		Inconsistency with labelling with 'river & creeks' in other plans referred to as 'waterways'	Change legend from 'rivers and creeks' to waterways	Amendments to be made as recommended.	Resolved
7.3	Plan 2- Precinct Features	The fading of the area outside of the PSP results in the conservation area in this area looking very similar to the power transmission easement.	Amend colour choice/pattern or change fade effect of transmission easement	Amendment to be made as recommended.	Resolved
7.4		Legend for this plan has 'waterway corridor/ floodplain' which is inconsistent for the rest of the plans which just have 'waterways'	Change legend to 'waterways'	Amendment to be made as recommended.	Resolved
7.5	Plan 3- Future Urban Structure	Most appropriate interface between all waterways and development is a road along the entire length of the waterway corridor.	Amend Figure 2 and requirements to introduce a majority road interface between conservation land and commercial/industrial land	Future Urban Structure will be amended to show a local access street adjacent to the GGF Conservation Area. Requirement number 17 will be amended to remove reference to direct frontage.	Resolved
7.6		CW2 shown incorrectly	Amend Plan 3 to show CW2 having a minimum width of 29m. All other plans within the PSP should be adjusted accordingly.	MPA thinks CW2 is represented correctly on Plan 3 with a minimum width of 29m. This Constructed Waterway will be scaled and shown at 29m on all plans. It can be presented more clearly at Table 3 of the PSP.	Resolved
7.7	Section 2: Outcomes	Suggests re-wording of the Vision to replace the reference to 'Merri Creek' with a reference to 'Conservation' interfaces.	Suggest: 'the precinct will develop as an attractive and integrated commercial and industrial area that places strong emphasis on consistent and high quality landscaping, particularly along the Hume Freeway and Conservation interfaces'	The Vision will be amended as recommended.	Resolved
7.8	Objective 13	Update Objective 13 to include reference to Kalkallo Creek.		Objective 13 will be amended as recommended.	Resolved
7.9	Plan 4- Image and Character	Update plan 4 to show a Conservation interface around CA27.		Plan 4 will be amended as recommended.	Resolved
7.10	R9	Update R9 to remove specific reference to Merri Creek Conservation Area, but should be consistent and just refer to conservation area.		Requirement 9 will be amended as recommended.	Resolved
7.11		The fading of the area outside of the PSP results in the conservation area in this area looking very similar to the power transmission easement.		Plan 4 will be amended as recommended.	Resolved
7.12	Figure 2- Conservation Interface	Amend the Frontage Road and Direct Frontage cross-section to show an appropriate buffer, such as local access road, from the edge of the CA to development boundaries.		Future Urban Structure will be amended to show a local access street adjacent to the GGF Conservation Area.	Resolved



7.13		Amend R15 to be relevant to Conservation Areas as well as local parks.		Requirement 15 should not be amended as recommended as it relates to open space only. However, Figure 2 and Requirement 17 can clarify this same point. Figure 2 can be amended to ensure that it states 'Low fence that is visually permeable to exclude vehicles but allow pedestrian access'	Resolved
7.14	Figure 4- Growling Grass Frog Conservation Area- Concept Plan	Plan currently shows Water Management Zones/Areas cover the drainage assets overlapping with Passive recreation areas.	Passive recreation including 'BBQ's, picnic areas, tables, shelters, playgrounds and lighting' must be located outside the Water management areas.	Figure 4 will be amended as recommended and agreed with DELWP.	Resolved
7.15	Plan 8- Street Network	The legend on Plan 8 does not show correct colour for Hume Road- key access street	Amend legend to correctly identify the Hume Rd- key access street	MPA beleives that MW has misunderstood the intention of the road interface at Hume Freeway. There is a key access street that fronts and runs adjacent to the Hume Freeway, see cross section on page 46. The Plan 8 can however be amended to show this arrangement more clearly.	Resolved
7.16		MW requests a local access street to be provided along the entire length of the conservation interface of Kalkallo and Merri Creek CA.	Amend Plan 8 to extend the key access street along the entire interface between the commercial/industrial land and the Kalkallo and Merri Creek conservation area.	Future Urban Structure will be amended to show a local access street adjacent to the GGF Conservation Area.	Resolved
7.17	Plan 9- Integrated Water Management	1 in 100 year levels is not clearly defined on plan.	Amend plan so that the 1 in 100 year flood levels is clearly defined and matches the legend.	Plan 9 will be amended as recommended.	Resolved
7.18		CW2 shown incorrectly	Amend plan so that the width of CW2 is a minimum 29m.	Plan 9 will be amended as recommended. See 7.6.	Resolved
7.19		Include local road access at the pinch points identified at WL1		Agreed, a new road can be shown along the boundary of the BCS. MW will need to negotiate internal access to their asset with DELWP as part of their DSS.	Resolved
7.20		Include local road access at the pinch points identified at WL2		Agreed. A local access road can be shown along the CA and WL2.	Resolved
7.21		Request the re-insertion of the following guideline "Where practical, development should include integrated water management initiatives to reduce reliance on potable water and increase utilisation of storm and waste water, contributing to a sustainable and green urban environment."  'Development should have regard to relevant policies and strategies being implemented by the Responsible Authority, Melbourne Water and Yarra Valley Water, including any approved Integrated Management Plan.'  Where practical, integrated water management systems should be designed to: ~ Maximise habitat values for local flora and fauna species. ~ Enable future harvesting and/or treatment and re-use of stormwater.		Agreed. These guidelines can be inserted.	Resolved

7.22		R38 refers to the incorrect figures, should state Figure 5a or 5b.		Requirement 38 will be amended as recommended.	Resolved
7.23		Replace R33 with the following: " <i>Stormwater runoff from the development must be treated to meet at a minimum best practice standards prior to discharge to receiving waterways and as outlined on Plan 9, unless otherwise approved by the responsible authority and Melbourne Water.</i> " as agreed with Chris Braddock on 8 May 2015.		Requirement 33 will be amended as recommended.	Resolved
7.24	Table 3- Inventory of Drainage and Water Quality Infrastructure	Replace Table 3 with Table 1 included in Attachment 1 to ensure consistency between the PSP and MW's DSS'.		Table 3 will be amended in line with Attachment 1 in the submission from MW.	Resolved
7.25		Change the label of Figure 5a to 'Eastern Section Central Linear Reserve'		Figure title will be amended as recommended	Resolved
7.26		Amend Figure 5a and 5b to show a low scale fence and the industrial development fronting the reserve.	Amend Figure 5a and 5b	Disagree in this instance. As shown on these cross-sections, the fences will act as the rear boundary to private industrial land on one side in some cases. It will not always be practical to provide a low scale fence. MW has alerted the MPA to this point and recommends a clarification to R15.	Resolved
7.27		There is no low flow channel /pipe proposed under the waterway channel.	Delete circle below the channel in Figure 5a.	Figure 5a will be amended as recommended	Resolved
7.28	<b>Figure 5b Western Section Central Linear Drainage Line</b>	Take out any reference in the title to a 'drainage line'. Recommend the title be changed to "Linear Public Open Space Reserve".		Figure 5b will be relabelled and moved to Section 3.3 as recommended.	Resolved
7.29		Amend Figure 5a and 5b to show a low scale fence and the industrial development fronting the reserve.		See 7.26	Resolved
7.30	Plan 12- Land Use Budget	Amend Plan 12 to include a reference to Commercial Precinct A		Amend Plan 12 to include Commercial precincts A in legend	Resolved
7.31		Include the following notes below Table 5: a) <i>The land budget has been prepared to reflect current advice from Melbourne Water regarding land required for drainage assets as part of the preparation of draft Development Services Schemes (DSS) for the PSP area. The land required for DSS drainage assets may be subject to minor refinement through the subdivision process.</i> b) <i>The land budget has been prepared consistent with the Melbourne Water Development Services Schemes to allow for best practice water quality treatment. The DSS may allow for alternative water quality treatment solutions, subject to Melbourne Water approval.</i>		Agreed, notes should be added to PSP but believe these notes would be more appropriately located under Table 3 and incorporated with the existing note explaining that assets are subject to refinement.	Resolved
7.32		MW supports the deletion of the RFO on the condition that the LSIO be amended to match MW's updated flood shape as provided to MPA on 13 March 2015.		Noted and will be updated accordingly.	Resolved
7.33		MW supports the rezoning of the land identified as CA 34 from the Farming Zone (FZ) to Rural Conservation Zone (RCZ) and the insertion of Schedule 2 to the IPO2.		Noted.	Resolved