

Sub. #	Section/ Page	Issue Raised	Submitter Proposed Outcome	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"> - The future demand for various activities; - 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; - 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 - Specific land use criteria, such as access, proximity to sea and air ports, infrastructure and other planning requirements for future industrial development areas. <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
3	James Gevegizian				
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 Government 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				
6.4		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.	Unresolved Refer to panel
7	Melbourne Water				
7A.1		The proposed change to the Public Acquisition Overlay (PAO) includes an additional off-ramp from the Hume Highway to the west of the PSP boundary. This location conflicts with Melbourne Water's DSS position to locate a retarding basin with contained wetland at this location. This location was established prior to PSP agency consultation stage. Melbourne Water request Vicroads and the MPA reconsider the proposed alignment of the off-ramp to avoid Melbourne Water drainage infrastructure.	Yes	MPA is currently negotiating with both parties (Melbourne Water and VicRoads), along with the landowner over this matter to find a resolution. The MPA confirmed with all parties that we would work to try to resolve this issue prior to the adoption of the amendment. This has been sent in an agreement to parties: Ausnet, Melbourne Water and VicRoads to work together to resolve as quickly as possible.	Decision pending further review
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 they 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 areas 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 UG28, 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 development 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 based on their actual development proposal. The CHMP will address the areas of potential heritage sensitivity the bridge 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>	<p>Unresolved Refer to panel</p>
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"> - 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. - 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. - 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'. <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>Panels have confirmed 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>
10.3		<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"> - 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. - 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'. <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 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 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		<p>MCMC cannot support the removal of ESO2 unless the IPO2 is expanded to include the full suite of objectives identified in ESO2.</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>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>	<p>Unresolved Refer to panel</p>

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
11	Hume Council				
		Properties entirely encumbered by the Growling Grass Frog (GGF) Conservation Area			
11.1		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>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>	Unresolved Refer to panel
		CRAIGIEBURN NORTH EMPLOYMENT AREA PSP Road Bridge over Merri Creek			
11.2		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>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 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>	Unresolved Refer to panel
11.3		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>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>	Unresolved Refer to panel
11.4		Council requests that the amendment documentation or PSP better explain what information has been used to determine the limits of the 'affected land'.		<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
		Precinct Infrastructure Plan			

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
11.11		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
		Other cross-sections			
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 as it is considered unnecessary.	Decision pending further review
		Improvements/ Corrections			
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
11.22		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
11.24		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
11.29		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
11.31		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
11.41		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
		Comments on the DCP Intersection IN- 25.1-6			
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.		<p>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.</p> <p>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.</p>	Further review/discussion required
		Net Developable Area			
11.44		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
		Comments on the Schedules			

11.57		UGZ8 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
11.59		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
11.63		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
11.65		RCZ 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
11.67		IPO2 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
11.68		Schedule 2 to the ESO 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
11.71		Clause 94 (VicSmart) 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.		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. MPA are currently confirming our position on this matter.	Decision pending further review
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.		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. 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].' 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.	Unresolved Refer to panel
12	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.		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. 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.	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.		There is no evidentiary base to the submitters claim. Numerous land use demand analyses over time have demonstrated the need for industrial land supply in the north growth corridor. This precinct also present some clear locational advantages with regard to road and rail proximity that elevate its likelihood of success as an industrial precinct.	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.	Unresolved Refer to panel
12a.4		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.		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.	Unresolved Refer to panel
12a.5		Brookville Drive, Kinloch Court, Summerhill Road and surrounding roads are now unsafe and need to be constructed as a matter of urgency.		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.	Unresolved Refer to panel
12a.6		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 be 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.		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.	Unresolved Refer to panel
12a.6-1		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.		The Craigieburn North Employment Area was identified in the <i>Growth Corridor Plans: Managing Melbourne's Growth</i> , approved by the Minister for Planning in 2012, for employment purposes. As the planning authority, the MPA is bound by the land uses shown in this corridor plan.	Unresolved Refer to panel
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.	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 its development as urban land, which necessitates its rezoning usually from Farming Zone.	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.	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.	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.	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.	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.	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.	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.		Requirement number 17 in the PAP requires that any development abutting any conservation area must be in accordance with the Grolwing Grass Frog Conservation Area - Concept Plan and the Grolwing Grass Frog Conservation Area Conservation Interface to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning. 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.	Unresolved Refer to panel
18	Friends of Merri Creek				

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> <ul style="list-style-type: none"> ~ Reduced environmental values protection as it contains no statement of environmental significance. ~ More confined than the ESO, focussing solely on preserving the GGF, rather than the ecological, waterway recreation, landscape and heritage functions. ~ 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. ~ 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". ~ Removal of strategic documents which are currently reference docs in the ESO2 and ESO10. ~ 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>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
18.8	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> <ul style="list-style-type: none"> ~ Levelling must not impinge on a conservation reserve ~ Levelling must not impact on natural drainage patterns ~ Warm climate grasses must not include Couch, Brown-top Bent or Kikuyu where the reserve adjoins conservation areas, as these are highly invasive species ~ Drainage and piping for water provision must not impact on a conservation reserve ~ 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>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
22	DELWP				
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"> 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 trees, and aligns the wording directly with that shown on Plan 6. Delete the words "subject to the provisions of Clause 37.07 Schedule 8" Correct spelling of the word 'Craigieburn'. Include the words 'is required for any development that is subject to and' in front of 'carried out in accordance with ...'. <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
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.</p> <p>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
22.8	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: • "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."	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		Section 4.2 – minor wording changes are required, please replace the "Protection of conservation areas and native vegetation during construction" condition with the following:	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>"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"> • highly visible • at least 2 metres in height • sturdy and strong enough to withstand knocks from construction vehicles • in place for the whole period of construction • located the following minimum distance from the element to be protected: <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"> • be located more than 15 metres from a waterway; • be located outside the vegetation protection fence; • 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; • not be undertaken if it presents a risk to any vegetation within a conservation area.; and • be carried out under the supervision of a suitable qualified ecologist or arborist." 		Decision pending further review
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: "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"> • 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: <p>-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 -may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.</p> <ul style="list-style-type: none"> • Makes application to the Registrar of Titles to register the agreement on the title to the land. • 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. <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"> • 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 • 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 • 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: <p>-the Secretary to the Department of Environment, Land, Water and Planning; -the Minister for Environment and Climate Change; or -another statutory authority. 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.	Decision pending further review
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"> • 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"> • 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 • may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987. • Makes application to the Registrar of Titles to register the agreement on the title to the land. • 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. <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"> • 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 • 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 • 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"> • the Secretary to the Department of Environment, Land, Water and Planning; • the Minister for Environment and Climate Change; or • another statutory authority. <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.	Decision pending further review

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"> 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. 	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"> 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.	Further review/discussion required