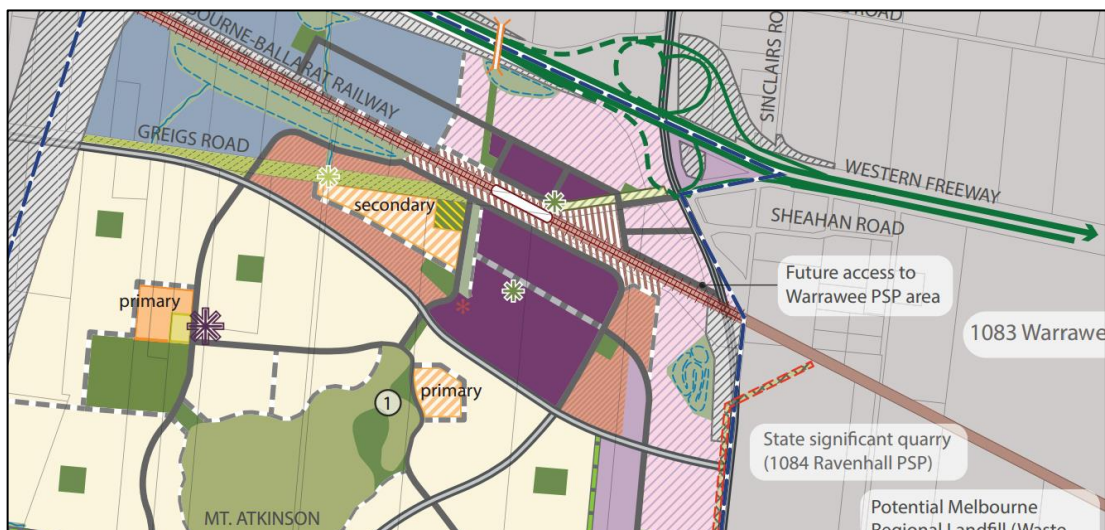




MELTON PLANNING SCHEME AMENDMENT C162

MT ATKINSON & TARNEIT PLAINS PRECINCT STRUCTURE PLAN



STATEMENT OF EVIDENCE BY ANDREW CLARKE ON PLANNING ISSUES

Prepared for MSA Properties Pty Ltd

SEPTEMBER 2016

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1 INTRODUCTION: PRACTICE NOTE – EXPERT EVIDENCE

Name and Address of Expert

Andrew Clarke
Director
Matrix Planning Australia
2nd Floor, 50 Budd Street
Collingwood Vic 3066.

Qualifications of Expert

Bachelor of Town and Regional Planning (Hons), University of Melbourne, 1982
Member, Planning Institute of Australia
Refer Curriculum Vitae at Attachment 1.

Any Private or Business Relationship between the Expert Witness and the Party for Whom the Report is Prepared

None.

Instructions

Written instructions from Best Hooper Solicitors acting on behalf of MSA Properties Pty Ltd dated 26 August 2016 as follows:

“Our client has instructed us to engage you to review the Amendment and provide expert planning evidence at the Panel hearing should you be able to support our client’s position.”

I subsequently received verbal instructions from Best Hooper to confine my review to the retail planning aspects of the Amendment with respect to MSA Properties’ landholding in light of a detailed review of other matters already included in the written submission to the Amendment prepared by Tract Consultants.

Facts, Matters and Assumptions

Facts, matters and assumptions on which opinions expressed in the report are based are set out in the report.

Documents and Materials Taken Into Account

The documents and any literature or other materials taken into account in preparing the report are identified in the report.

Examinations, Tests and Investigations

All examinations, tests and investigations have been undertaken by me.

Summary of Opinion

A summary of opinion is included in the Conclusion.

Provisional Opinion

There are no provisional opinions.

Relevant Questions Outside of Expertise

There are no matters of relevance outside of my expertise.

Whether the report is incomplete or inaccurate in any respect

As far as I am aware the report is not incomplete or inaccurate in any respect.

Declaration

I have made all the enquiries which I believe are desirable and appropriate, and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

2 MSA PROPERTIES' INTEREST IN AMENDMENT C162

MSA Properties Pty Ltd is the owner of 2-50 Meskos Road Rockbank. It is a 6.98 ha irregularly shaped parcel located on the north side of the Melton railway line (refer Aerial Photograph below).



Aerial Photograph

The MSA Properties site is currently used for materials recycling and plant nursery/landscape supplies. In August 2015 Melton City Council issued a planning permit to use and develop the site for materials recycling (rock crushing), concrete batching plant and landscape

gardening supplies.

3 THE AMENDMENT AND THE PSP

The major components (from MSA Properties' perspective) of Amendment C162 to the Melton Planning Scheme ("the Amendment") are:

- Rezoning of the PSP area to Urban Growth Zone (UGZ9: Mt Atkinson & Tarneit Plains PSP) and insertion of a new Schedule 9 to the UGZ;
- Incorporation of the Mt Atkinson & Tarneit PSP into the Melton Planning Scheme; and
- Application of a Development Contributions Plan Overlay (DCPO9) to the PSP area (the DCP is yet to be prepared).

3.1 THE AMENDMENT

The applied zoning to the land under the Schedule to the Urban Growth Zone (UGZ9) is a combination of:

- Industrial 1 Zone
- Commercial 1 Zone over the Specialised Activity Centre north of the railway line
- Commercial 2 Zone
- Residential Growth Zone elsewhere.

Table 2 of Clause 2.4 of the UGZ9 contains the following provisions for Shop (normally an as of right use) in the applied Commercial 1 Zone:

"A permit is required to use land for a Shop if the combined leasable floor area of all shops exceeds:

- *23,500 square metres for land shown as Specialised Town Centre south of the Melton Rail Corridor in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.*
- *2,500 square metres for land shown as Specialised Town Centre north of the Melton Rail Corridor in the Mt Atkinson & Tarneit Plains Precinct Structure Plan."*

The same table contains the following provisions for Restricted retail premises (normally an as of right use) in the applied Commercial 2 Zone:

"A permit is required to use land for Restricted retail premises on land shown as Business in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

A permit is required to use land for Restricted Retail premises if the combined leasable floor area of all restricted retail premises exceeds:

- *40,000 square metres for land shown as Business/Large Format Retail in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.*

3.2 THE PSP

Plan 3: Future Urban Structure (page 10) proposes a Specialised Town Centre north and predominantly south of the railway line with Mixed Use to its east and west. Business/Large Format Retail areas are depicted west, north and east of the town centre, north of the railway line and west of Hopkins Road south of the railway line within the quarry sensitive use buffer.

Figure 3: Mt Atkinson Specialised Town Centre (page 29) depicts the following land uses north of the railway: mix of commercial uses, retail/residential over, supermarket/DDS/anchor retail, industrial and large format retail. Similar uses are depicted south of the railway, but over a larger land area. Two pedestrian connections are envisaged across (over or under) the railway linking the north and south sides of the town centre.

Under Section 3.2.1: Mt Atkinson Specialised Activity Centre, the PSP states:

“The Mt Atkinson Specialised Town Centre will form the heart of the Hopkins Road Business Precinct while being of an appropriate scale, design and location to service the future residential community within the Mt Atkinson Precinct, and to complement centres proposed in the future Kororoit and Rockbank precincts....

The town centre will provide opportunities to integrate a mix of higher density residential and employment with mixed use, retail and restricted retail uses with supporting community, open space and recreational facilities. The town centre will have a main street focus and will provide a core retail area appropriately located to support major supermarket anchors and discount department stores, along with opportunities to provide fine grained small local enterprises and a mix of commercial uses.

The town centre will be transit oriented through the provision of a potential future train station and park and ride facilities and an integrated bus, pedestrian and cycle network providing services to local and regional destinations. The town centre and surrounding employment and mixed use areas have been designed to maximise connectivity between transport modes, create public plazas in the vicinity of the potential future train station and to provide a higher density mixed use catchment for the potential future train station.

The purpose of the ‘soft cap’ on shop uses within the Mt Atkinson Specialised Town Centre is to ensure the West Growth Corridor’s Activity Centre hierarchy is retained and that the core retail offering is delivered south of the rail corridor. Any planning application for a shop use above the leasable floor area specified in the PSP and in Schedule 9 to the UGZ within the Mt Atkinson Specialised Town Centre that does not adversely impact on the Melton City Council Activity Centre hierarchy and the ability

of the town centre to deliver a core retail offering south of the rail corridor may be considered.

The core retail offering will be delivered to the south of the rail corridor to ensure that the primary residential catchment located within the Mt Atkinson Precinct has convenient access, by walking, cycling and car, to this core retail offering without crossing the rail corridor. This is reflected in the 'soft cap' for shop floor space within the Mt Atkinson Specialised Town Centre identified in the PSP and in Schedule 9 to the UGZ.

The town centre to the north of the rail corridor will, following the delivery of the potential future train station, provide a park and ride facility, along with a small scale retail offering. This is reflected in the 'soft cap' for shop floor space within the Mt Atkinson Specialised Town Centre identified in the PSP and in Schedule 9 to the UGZ.

The location of the northern portion of the Mt Atkinson Specialised Town Centre relative to the potential future train station, Hopkins Road and the Western Freeway provides potential for the delivery of a large format speciality retail offering with a regional catchment that predominantly sells fresh and packaged food. A planning application that meets the requirements established in Schedule 9 to the UGZ would be required if the leasable shop floor space exceeds the 'soft cap' for the town centre north of the rail corridor.” (page 30)

Requirement R22 (page 33) and Table 4 (page 34) set out that the shop floorspace in the town centre will be 26,000m² with 23,500m² south of the railway and 2,500m² north of the railway.

4 PLANNING POLICIES

4.1 STATE PLANNING POLICY FRAMEWORK

The State Planning Policy Framework is the enunciation of State planning policies common to all Victorian new format planning schemes. State planning policies relevant to the activity centre components of the Amendment include:

- Clause 11.01: Activity Centre Network, which has the objective to build up activity centres for high-quality development, activity and living for the whole community by developing a network of activity centres.
- Clause 11.01-2: Activity Centre Planning which includes strategies to:

“Undertake strategic planning for the use and development of land in and around the activity centres.”

Give clear direction in relation to preferred locations for investment.”

- Clause 17.01-1: Business. The objective is:
“To encourage development which meet the communities’ needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.”

It includes strategies to:

*“Locate commercial facilities in existing or planned activity centres.
Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.”*

4.2 LOCAL PLANNING POLICY FRAMEWORK

4.2.1 Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is the expression of the planning vision, objectives and strategies at the municipal level of consideration.

The Melton Planning Scheme MSS is currently “thin” in terms of retail policy. The sole Retailing objective under Clause 21.03-2: Planning Objectives is:

“To encourage the growth and development of vibrant and dynamic retail centres.”

4.2.2 Local Planning Policies

The first policy under Clause 22.06: Retailing Policy is to:

“Implement a hierarchy of commercial centres across the municipality (as identified in Clause 21) which takes into account current and projected population growth and distribution, existing and committed retail floor space levels and private and public transport infrastructure.

Promote the development and expansion of retail facilities in accordance with the adopted commercial centre hierarchy.”

However, neither Clause 21 nor the policy define a hierarchy and neither refers to another document that does. Further, there is no explanation of how any such hierarchy is to be applied to retail development proposals.

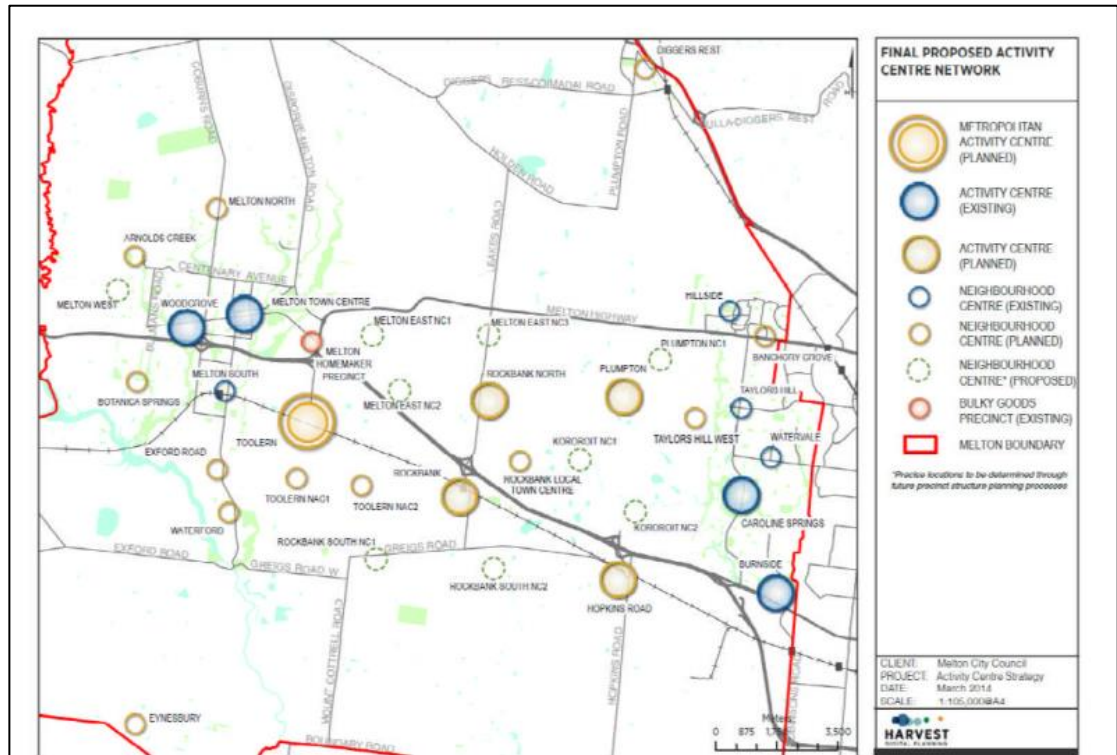
4.3 AMENDMENT C171

Amendment C171 to the Melton Planning Scheme is currently on exhibition (until the 8 September 2016). The Amendment seeks to implement the *City of Melton Retail and Activity*

Centre Strategy March 2014, which was adopted by Council in April 2014.

The strategy and amendment seek to overcome some of the above identified shortcomings of the MSS by introducing a retail hierarchy to the municipality.

The Amendment introduces a new Clause 21.05: Activity Centres and Retail Provision. It includes a retail hierarchy (shown on Map 1 below).



Map 1: City of Melton Activity Centre Hierarchy: Supportable network of activity centres at full development

An “Activity Centre (Planned)” is proposed near the corner of Hopkins Road and both sides of the railway. There is no qualification of where it sits in a hierarchy of activity centres.

Table 1 then defines the land use strategies for activity centres which are not metropolitan, neighbourhood, restricted retail or local activity centres as defined by the hierarchy:

“Encourage:

- *A broad mix of integrated sub regional land uses such as retail (discount department store as well as supermarkets and specialty stores), office, business, community (e.g. education, health and recreation), entertainment and residential. The provision of at least 40% of non- retail floor space to generate a breadth of employment choices.*
- *Residential development (usually above ground floor level) and medium and higher density residential housing in close proximity to provide access particularly to small households.*

- *Accessibility via public transport including a public transport interchange and pedestrian and cycling networks.*
- *Extensive public open space.*
- *Approximately 35,000 square metres of conventional retail floor space and up to 20,000 square metres of restricted retail floor space based on a catchment of approximately 50,000 people.”*

The Amendment also replaces Clause 22.06 with a new Retailing Policy. The policy does not add a great deal to Clause 21.05 except for information requirements to accompany applications for retail/activity centre approvals.

5 OTHER RETAIL STRATEGY DOCUMENTS

5.1 PLAN MELBOURNE

In May 2014, the State Government released its metropolitan planning strategy, *Plan Melbourne*. Map 31: Western Subregion identifies an “activity centre – existing and future” around the intersection of Hopkins Road and the Melton railway line.

5.2 WEST GROWTH CORRIDOR PLAN

In June 2012 the Growth Area Authority (now Victorian Planning Authority) released the *Growth Corridor Plans*.

Section 3.1.2 sets out the principles for a hierarchy of town centres in growth areas. These include:

- Principal town centres
- Major town centres
- Local town centres
- Specialised town centres
- Bulky goods.

The commentary description of specialised town centres is:

“Specialised Town Centres may be appropriate in a number of ‘Business’ precincts. These Centres will have a relatively small retail function, but will provide locations for specialist business services, conferencing, accommodation, recreation (e.g. gym), entertainment etc. Co-location of these activities within a Specialised Town Centre will help to ensure the most efficient provision of infrastructure and allow for multi-purpose trips. They should be highly accessible by public transport.” (page 16).

The commentary description for Bulky Goods is:

“Bulky Goods (referred to as ‘restricted retail’ in Planning Schemes) should ideally be located in or adjacent to higher order town centres or in strategic locations within business precincts as part of a cluster of similar uses. Co-location of bulky goods in these locations is preferred and can allow for a more efficient use of infrastructure, greater accessibility by public transport, combined purpose trips and better employment opportunities.” (page 16).

The *West Growth Corridor Plan* identifies a specialised town centre approximately focussed near the south-west corner of Hopkins Road and the Melton railway.

In relation to the Hopkins Road Business Precinct the *West Growth Corridor Plan* states:

“A small Specialised Town Centre will be located in the Precinct to support the business activities and provide amenity for residents and workers. The ability for this precinct to succeed as a higher order employment location will depend on, amongst other factors, its accessibility which will require careful planning at the PSP stage. A future PSP will also need to ensure that any residential community within this location is of sufficient size to operate as a self-contained neighbourhood, supported by transport, open space and community infrastructure. Careful planning and analysis of catchments for services will, therefore, be required.

Although there are no plans to provide a station in this location during the timeframe of the Corridor Plan, there is potential for a Hopkins Road rail station in the longer term which could be explored, and opportunities for its potential future provision preserved.” (page 51).

5.3 CITY OF MELTON RETAIL AND ACTIVITY CENTRES STRATEGY

As indicated, the City of Melton Retail and Activity Centres Strategy was adopted by Council in April 2014 and underpins the strategic basis for Amendment C171.

The activity centre near the corner of Hopkins Road and the Melton Highway is referred to as the “Hopkins Road Activity Centre”. Its retail function is not identified as a sub-regional, neighbourhood or local centre in the retail hierarchy, but rather its retail function “is to be determined” (Table 2, page 20).

However, as neither a local or neighbourhood centre, its status is as a larger “activity centre” (refer Section 6.6, pages 16-17) where the strategy states:

“Hopkins Road – although the retail role of this centre is likely to be providing services for a relatively small residential neighbourhood, if any, whilst providing more extensive commercial services for surrounding employment activities).

The role and function of the Hopkins Road activity centre is not clearly defined by the retail strategy. As a result the strategy defers making specific recommendations about the role

and function of the Hopkins Road centre. The sole recommendation therefore is:

“Ensure the retail provision at Hopkins Road is appropriately scaled for the residential and employment catchment of the centre once this is known through the PSP process.” (page 17).

Section 13 of the strategy sets out recommended changes to the Melton Planning Scheme MSS, which in relation to recommended objectives and strategies for individual centres have not been included in Amendment C171. Nevertheless, the lack of guidance provided in the strategy for Hopkins Road repeats itself in the vague recommended MSS direction:

“The overall aspirations for the Hopkins Road Activity Centre should be identified as an objective, with particular reference to the role of the centre as a supporting centre for employment activity and the need for any retail provision to be scaled appropriately to service proposed population and local needs for workers and businesses.” (pages 33-34).

5.4 MT ATKINSON AND TARNEIT PLAINS: COMMERCIAL AND INDUSTRIAL LAND REVIEW.

The *Mt Atkinson and Tarneit Plains: Commercial and Industrial Land Review* (undated) was recently prepared for the former MPA by JLL Strategic Consulting. Its purpose was to review the demand for commercial and industrial land uses at Mt Atkinson and Tarneit Plains.

In relation to shop floorspace provision, the review supported work undertaken on behalf of the main landholder that a retail centre of 23,500m² was supportable, including two supermarkets of approximately 3,200m² each and a discount department store.

The review foreshadowed expected trade being attracted from beyond the primary (resident) trade area for the following reasons:

- *The town centre is expected to support a broad range of activity including education, health services, regional recreation facilities and a broad range of business services. This draws consumers to the Town Centre that are not otherwise counted in the catchment;*
- *Its high exposure and good access from the arterial road network supports a relatively high level of trade coming from beyond the defined catchment; and*
- *The defined Secondary West and Secondary North catchments are quite modest, with potential trade coming from residents further to the north (good access along Hopkins Road).*

I observe that that these factors, in particular the proximity of the arterial road network and its interchanges (Western Freeway and Hopkins Road) support centre development north of the railway line.

The review identifies the centre as a sub-regional centre. The review comments that the Melton Retail and Activity Centre Strategy stated that the Hopkins Road centre was unlikely

to have sufficient population for a sub-regional centre. However, at the time that the strategy was prepared the resident population was not known and has now been updated to 20,000 persons through the PSP process.

In relation to bulky goods, the review identified that bulky goods retailers are attracted to main road frontages with high volumes of passing traffic. The Hopkins Road centre provides such a location.

The review identified that while there is existing competition within the broad region around Mt Atkinson, with the exception of Bunnings at Caroline Springs, major competition is a reasonable distance from Hopkins Road (page 29).

In relation to forecast demand the review states:

“The Draft Concept Plan identifies a residential population of up to 20,000 residents. This alone is unlikely to support significant bulky goods retailing, with most retailers requiring larger catchments to be viable. However, the Hopkins Road site will benefit from its high exposure to passing trade, and together with the intersection of Western Freeway and Hopkins Road, this provides sufficient exposure and residential catchment within a 5km radius to provide a second bulky goods precinct to serve the western growth corridor.

As highlighted earlier, some bulky goods precincts have attracted over 100,000sqm of retail floor space. This location could develop into a major regional destination for bulky goods, should it attract major regional anchor stores not currently represented in Western Melbourne such as Ikea or Costco. Without these larger stores, a precinct of up to 40,000sqm is possible.” (page 30).

Presumably, this forms the basis of the soft cap on Restricted retail premises in the Amendment.

6 PLANNING CONSIDERATIONS

There are two issues that arise from my review of the Amendment and PSP:

- whether a soft cap on shop floorspace in the applied Commercial 1 Zone should be applied to different parts of the same activity centre, and
- the need for a use permit and a soft cap on restricted retail floorspace in the Commercial 2 Zone.

I deal with both in turn.

6.1 CAP ON SHOP FLOORSPACE IN THE APPLIED COMMERCIAL 1 ZONE

Although there is capability under the VPPs to do so, caps on retail floorspace are no longer

applied to the Commercial 1 Zone outside of growth areas. This is a result of VC100 which replaced the Business Zones with the Commercial Zones.

Caps are applied in growth areas for the purpose of protecting the planned retail hierarchy between activity centres in a PSP area or across a region. Where they are applied, preference is usually given to protecting the higher order activity centres from lower order centres more proximate to resident growth stages. Caps may be long term or temporary, for example, providing time for a higher order centre to develop in response to residential population growth.

Whilst I cannot say it has not occurred elsewhere, I am not aware of another instance where a retail floorspace cap has been applied to different parts of the same activity centre (other than very large activity centres with a multitude of land use sub-precincts) in order to give geographical retail floorspace preference to one sub-area over another within the same activity centre.

The rationale for this approach in this instance is understood. The purpose of the cap on the northern side of the railway is to concentrate the vast majority of the convenience retail floorspace to the south side, closer to the residential areas, which are concentrated south of the railway line. In this way residents will not need to cross the railway to access the vast majority of the ultimate retail offer. This approach however treats the resident catchment for the south side of the town centre as also being the same catchment for the north side of the town centre.

One problem with this approach however, is that it can potentially stifle rather than encourage early and long-term retail development. Whilst acknowledging it is a “soft” cap and not a mandatory limit, a 2,500m² shop floorspace limit essentially limits the retail offer to a small IGA or similar supermarket with some specialty shops. On the basis that the JLL review contemplates two supermarkets of 3,200m² (which in turn would be supported by additional specialty shop floorspace), even this scenario is doubtful north of the railway if the cap is enforced.

There are a number of emerging retail forms competing with the traditional duopoly supermarket model of Coles and Woolworths. For example, there are a number of new specialty fresh food outlets emerging and their floorspace may exceed 2,500m². One example is LaManna Direct at Essendon Fields which combines grocery and fresh food as well as an on-site café in a 10,000m² supermarket format (more than twice the floor area of a large full line conventional supermarket). To the extent that specialty shops are provided (eg. butcher, delicatessen, patisserie) these are provided within the supermarket floorspace footprint. Such outlets typically have a wider catchment than conventional supermarkets because they have a unique place in the retail offer that gives them a regional or even metropolitan attraction.

In this context the PSP sets out a similar vision for the town centre north of the railway:

“The location of the northern portion of the Mt Atkinson Specialised Town Centre... provides potential for the delivery of a large format specialty retail offering with a regional catchment that predominantly sells fresh and packaged food.” (PSP page 30)

The 2,500m² cap potentially restricts some forms of large format specialty retail offerings with a regional catchment selling fresh and packaged food, when that is specifically envisaged for the town centre north of the railway.

I further note that the vision for the northern part of the town centre with a regional catchment distinguishes itself from the role of the primarily resident based catchment of the town centre south of the railway line. In this regard, the area north of the railway more strongly benefits from its proximity of access to the Western Freeway and the Western Freeway and Hopkins Road interchange.

The PSP (at page 30) indicates the purpose of the soft cap is two-fold:

“The purpose of the ‘soft cap’ on shop uses within the Mt Atkinson Specialised Town Centre is to ensure the West Growth Corridor’s Activity Centre hierarchy is retained and the core retail offering is delivered south of the rail corridor.”

I have dealt with the second purpose (core retail offer being delivered south of the rail corridor) in the discussion above noting that the PSP identifies that the northern town centre catchment is a broader regional catchment rather than a primary residential catchment located south of the railway.

In relation to the stated first purpose (to retain the West Growth Corridor Activity Centre hierarchy), that purpose is solely served by the combined cap of 26,000m². With approximately 90% of that cap allocated to the south side the 2,500m² cap on the north side does nothing to contribute to the maintenance of the broader West Growth Corridor retail hierarchy.

I am concerned that the application of retail floorspace caps to both sides of the railway corridor within the same town centre fails to acknowledge the PSP’s own stated intentions for the respective and different catchments served by both sides of the town centre. The different caps between the north and south sides should be removed, or alternatively the cap on the north side should be substantially increased to enable without use permission a retail floorspace that accommodates *“the delivery of a large format specialty retail offering with a regional catchment that predominantly sells fresh and packaged food.”*

Finally, I have reviewed all of the approved UGZ schedules in the two largest metropolitan growth corridors (South-East and West) under the Casey (UGZ1-9), Cardinia (UGZ1-4), Melton (UGZ1-6 and 8) and Wyndham (UGZ1-11 and 13-15) Planning Schemes. Of the combined total of 34 PSP UGZ schedules reviewed, not one applied Commercial 1 Zone has shop floorspace limits across different areas within the same activity centre. As far as I am able to ascertain, this approach is without precedent, particularly in the lower order activity centres.

6.2 PERMIT AND CAP ON RESTRICTED RETAIL FLOORSPACE IN THE APPLIED COMMERCIAL 2 ZONE

With the exception of extraneous factors such as buffer distances, I see no reason from an orderly planning point of view why a permit should be required for Restricted retail premises in the applied Commercial 2 Zone and for a floorspace soft cap on Restricted retail premises of 40,000m².

I observe that in the Commercial 2 Zone Restricted retail premises is a Section 1 as of right use and there is no ability to apply a floorspace limit. I see no reason why an applied Commercial 2 Zone should be any different, particularly when the PSP has already identified this area as a bulky goods locality. What purpose is then served by requiring use permission? I can find none.

Similarly, what purpose is served by the floorspace soft cap? Whilst the JLL review identifies that 40,000m² might be possible at Hopkins Road, there is no suggestion that it should be the limit. Whilst I understand the need for floorspace caps for shop use in order to protect the planned retail hierarchy in growth areas, I cannot see that such caps apply to bulky goods localities. There is not a retail hierarchy for bulky goods retailing in the same way as conventional shops where different sized activity centres perform different functions, reflected in their size and resident population catchments. Bulky goods centres all perform the same function, differing only their retail offer (store type).

The JLL report identifies that the Hopkins Road bulky goods centre is generally well removed from other bulky goods centres in the Western region. Even if protection of other bulky good centres was an issue (noting that in relation to bulky goods retailing stifling competition is not a good reason for a cap), it does not appear to be an issue in this case.

7 CONCLUSIONS

I am of the view that application of shop floorspace limits in the proposed Specialised Activity Centre confuses the role envisaged to be played by the activity centre north of the railway. It should be removed in lieu of a single floorspace limit over the entire activity centre or substantially increased north of the railway so that the land use vision envisaged for this area under the PSP can be realised.

Similarly, unless there are other extraneous reasons why a permit should be required for bulky goods retailing, I can find no reason for a use permit requirement and a floorspace cap on bulky goods retailing in the applied Commercial 2 Zone. Restricted retail premises should otherwise be an as of right use without a floorspace cap.

I have made all of the enquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge, been withheld from the Panel.



Andrew Clarke B.TRP (Hons.), MPIA
1 September 2016

ATTACHMENT 1: ANDREW CLARKE CURRICULUM VITAE

CURRICULUM VITAE

ANDREW CLARKE

OCCUPATION: Consultant Town Planner

DATE OF BIRTH: 9th July 1960

NATIONALITY: Australian

ACADEMIC QUALIFICATIONS:

Bachelor of Town and Regional Planning (Hons.), University of Melbourne, 1982

PROFESSIONAL AFFILIATIONS:

Corporate Member, Planning Institute of Australia

Member, Victorian Planning and Environmental Law Association

SUMMARY OF CAREER HISTORY:

- Director, Matrix Planning Australia Pty Ltd, 2001-present
- Planning Manager, Fisher Stewart Pty Ltd, 1995-2001
- Senior Planner, SJB Planning Pty Ltd, 1993-1995
- Senior Planner, Fisher Stewart Pty Ltd, 1992-1993
- Town Planner/Senior Planner/Associate, Wilson Sayer Pty Ltd/Wilson Sayer Core Pty Ltd, 1982-1991

OVERVIEW OF EXPERIENCE AND EXPERTISE

Since 1982, Andrew Clarke has been employed as a consultant town planner, providing advice to private individuals and firms, as well as Commonwealth, State and local government.

The particular expertise of Andrew Clarke has been in the area of planning and development approvals associated with a range of residential, commercial, industrial, recreational and institutional development projects.

Andrew regularly appears as an expert witness in planning panels, tribunals and courts. Between 1988 and 2015, Andrew was regularly appointed by the Minister for Planning to sit on and chair planning panels and enquiries including advisory committees, environment effects statements and planning scheme amendments.

Andrew is a former secretary (1990-91 and 1992-93) and chair (1993-94) of the Australian Association of Planning Consultants (Victoria Division).

Andrew established Matrix Planning Australia Pty Ltd in June 2001 as a town planning consultancy.

Representative projects undertaken by Andrew under the Matrix Planning Australia Pty Ltd banner include:

- Melbourne Cricket Ground Northern Stand Redevelopment for MCG5 Sports Architects on behalf of the Melbourne Cricket Club and Melbourne Cricket Ground Trust (2001)
 - Central Creek Grasslands Residential Subdivision and Conservation Project for the Urban and Regional Land Corporation (2001)
 - Pharmacy College, Redevelopment, Royal Parade Parkville for the City of Melbourne (2001)
 - Watt Road Mornington, Residential Rezoning and 100 Lot Subdivision for private client (2001-2002)
 - CSIRO Division of Petroleum Resources, Syndal, Subdivision Development, for CSIRO (2002)
 - Hutchison Telecommunications Mobile Phone Towers Visual Impact Assessment, Hoppers Crossing (2001)
 - Marlows Ltd, Marlows automotive outlets, Sunshine and Preston (2001-2002)
 - Melbourne Sports and Aquatic Centre, Stage 2 Redevelopment for 2006 Melbourne Commonwealth Games (2002)
 - The Esplanade Hotel, St Kilda Redevelopment for the City of Port Phillip (2002)
 - Deakin University Melbourne Campus, Burwood, development control advice for Deakin University (2002)
 - BassGas Project Environmental Effects Statement Panel Inquiry Chair for Victorian Department of Infrastructure (2002)
 - Cheltenham Green: Land Subdivision, Apartment and Townhouse Complex, Cheltenham for VicUrban (2003) (2008 Winner Urban Development Institute of Australia (Vic) Award for Excellence in the category of Urban Renewal Projects)
 - West Field Coal Mine Hazelwood Project, for International Power – Hazelwood (2004-2005)
 - Various School Building and Site Extensions for Brighton Grammar School (2004)
 - Parkside Gardens Residential Subdivision, Shepparton, for VicUrban (2004)
 - South Melbourne Supermarket and Mixed Use Commercial Development, for private client (2005)
 - Mortlake Gas Fired Power Station, for Origin Energy (2005-2006)
 - School Expansion Planning Scheme Amendment and Stage 1 Buildings Permit, for Donvale Christian College (2005-2006) and Plenty Valley Christian College (2008-2009)
 - Princes Highway, Traralgon Bypass, for Department of Primary Industries (2007)
 - Shaw River Gas Fired Power Station and Gas Pipeline, for Santos Ltd (2009-2010)
 - Planning Controls Assessment, Nelson Place, Williamstown for Nelson Place Village Pty Ltd (2011)
 - Numerous Licensed Premises Amenity Impact Assessments (ongoing)
 - Numerous residential unit and land subdivision proposals for various private clients (ongoing)
 - Numerous highest and best use advices and opinions in relation to land acquisition and compensation cases
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