



TOWN PLANNING EVIDENCE STATEMENT

LANCEFIELD ROAD PSP &
APPLICATION FOR PLANNING PERMIT P18855

PREPARED BY NICK HOOPER FOR
WINCITY DEVELOPMENT PTY LTD
AUGUST 2017

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1.0 Preliminary Information

1.1 Name and Address

Nick Hooper, Director.

Taylor's Development Strategists 8/270 Ferntree Gully Road, Notting Hill Vic 3168

1.2 Education and Experience

My educational qualifications and membership of professional associations are as follows:

- *Bachelor Applied Science (Planning), 1991, RMIT*
- *Member Royal Australian Planning Institute*
- *Member Victorian Planning and Environmental Law Association*
- *Certified Practising Planner*

My professional experience includes 25 years experience as a Town Planner, comprising:

- *17 years, Director, Taylors Development Strategists*
- *2 years Senior Planner, Bayside City Council*
- *1 year, Town Planning consultant, Rust PPK*
- *5 years Town Planner, City of Cranbourne/Casey*

1.3 Area of Expertise

Statutory Planning in Victoria.

1.4 Expertise to Make the Report

I have considerable experience in the planning considerations associated with Growth Area Planning. I have practised as a town planner for 25 years for both Local Government and private practise.

1.5 Instructions

I was instructed by Wincity Development Pty Ltd to provide my professional opinions on the following matters:

- A review of the PSP with respect to the submission lodged by Wincity Development P/L
- A review of the S96A permit and plans relating to the land owned by Wincity Developments P/L
- A review of responses to these matters from the VPA and Hume City Council leading to the provision of amended plans

1.6 Report Preparation

In the preparation of this report I have reviewed:

- Documents that form part of Amendment C208, including the Lancefield Road PSP; supporting Zone and Schedule information; and the explanatory report.
- The submission to the VPA prepared on behalf of Wincity Development Pty Ltd.

- The s96A Permit Application (Ref: P18855) and all supporting information.
- The Draft Planning Permit relating to the above application.
- The Request for Further Information from the VPA
- The VPA Assessment of the s96A Permit Application
- The revised Town Centre Concept Plan prepared by David Locke and Associates.

1.7 Identity of Other Persons Relied upon in this Report

I was assisted in the preparation of this report by additional members of staff acting under my express instructions. The opinions in this report, however, remain my own.

1.8 Summary of Opinions

It is my opinion that Amendment C208 is worthy of support and Planning Permit P18855 is worthy of approval subject to the following:

- Changes to the interface with the escarpment (WinCity3)
- Rationalisation of the pathways in Plan 10 and Figure 7 so as to show only paths relating to subdivisional works (WinCity12)
- Amendments to the proposed revised Town Centre plans prepared by Council
- The provision of further information and acceptance of the amended plan in relation to Planning Permit P18855

I am satisfied that the conditions in Planning Permit P18855 are reasonable.

I am satisfied that the changes to the UGZ10 are reasonable.

1.9 Provisional Opinions Not Fully Researched

To the best of my knowledge all matters on which I have made comment in this statement have been appropriately researched or are based on my knowledge and experience. The statement does not contain any provisional opinions that have not been fully researched.

1.10 Matters Outside of My Expertise

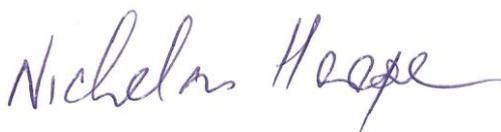
To the best of my knowledge, none of the matters on which I have made comment in this statement are outside my area of expertise.

To the best of my knowledge the report is complete and does not contain matters which are inaccurate.

1.11 Practice Note Declaration

I have made all the enquiries that I believe are desirable and appropriate and that no matters of significance that I regard as relevant have, to my knowledge been withheld from the Panel. I have read the Guide to Expert Evidence and agree to be bound by it.

Signature:



Date: 14 August, 2017

2.0 Introduction

I have been asked by Wincity Development Pty Ltd to provide my expert opinion on the matters raised relating to the Lancefield Road PSP, VPA Request for Further Information, the Draft Permit relating to the s96A application (Ref: P18855) and the Town Centre Concept Plan.

This Statement has been structured in a manner that responds to each of the above items and a detailed assessment/response can be referred to as follows:

Section	Issue/s Considered
Section 5.0	Lancefield Road PSP & Submissions
Section 6.0	Assessment of s96A Permit
Section 7.0	Revised Town Centre Concept Plan
Section 8.0	VPA Request for Further Information and Amended Plan

3.0 Amendment C208

Amendment C208 proposes to incorporate the Lancefield Road PSP into the Hume Planning Scheme. It applies to approximately 1095ha of land bounded by Racecourse Road and Jacksons Creek to the west, the Goonawarra and Rolling Meadows communities to the south-west, Gellies Road to the south, Emu Creek to the east and a creek reserve to the north.

Amongst other things, the amendment also rezones the majority of the land to Urban Growth Zone Schedule 10 and makes a number of other changes. The Explanatory Report exhibited with the Amendment describes succinctly the changes to the Hume Planning Scheme.

Incorporated Plan Overlay 3 will be inserted into the Scheme and covers land within the amendment area which falls within conservation areas under the *Biodiversity Conservation Strategy*.

4.0 Planning Controls

4.1 Sunbury/Diggers Rest Growth Corridor Plan

The Sunbury/Diggers Rest Growth Corridor Plan nominates the PSP predominantly for residential purposes, accompanied by areas with biodiversity values and landscape values. There are no activity centres nominated within the PSP area, although the Sunbury Principal Town Centre is nominated close by to the south west of the PSP area.

The exhibited PSP appears to reflect closely what is shown on the Sunbury/Digger Rest Growth Corridor Plan.

4.2 State Planning Policy Framework

The State Planning Policy Framework (SPPF) sets out a range of policies that will have a bearing on an appropriate mix of applied zones for this PSP.

Clause 11 Settlement is of relevance to this matter. Clause 11.02 relates to Urban Growth. It seeks to ensure a sufficient supply of urban land implemented by structure planning to facilitate the orderly development of urban areas. It seeks to *ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*

It also seeks to (inter alia) *develop precinct structure plans consistent with the Precinct Structure Planning Guidelines (Growth Areas Authority, 2009) approved by the Minister for Planning to:*

- *Establish a sense of place and community.*
- *Create greater housing choice, diversity and affordable places to live.*
- *Create highly accessible and vibrant activity centres.*
- *Provide for local employment and business activity.*
- *Provide better transport choices.*
- *Respond to climate change and increased environmental sustainability.*
- *Deliver accessible, integrated and adaptable community infrastructure.*

Clause 11.03 relates to Activity Centres and it seeks to, amongst other things, *to build up activity centres as a focus for a high-quality development, activity and living for the whole community by developing a network of activity centres.*

Clause 11.04 relates to Open Space and Clause 11.05 relates to Planning for distinctive areas and landscapes. These matters are addressed in the Amendment and the PSP.

Clause 16 relates to Housing. It states that:

- *Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.*
- *New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space.*
- *Planning for housing should include providing land for affordable housing.*

Clause 17 Economic Development provides matters for consideration. It states that:

- *Planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity.*

- *Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.*

Clause 18 Transport seeks:

- *To create a safe and sustainable transport system by integrating land-use and transport*
- *To coordinate development of all transport modes to provide a comprehensive transport system.*
- *To promote the use of sustainable personal transport.*

Clause 19 Infrastructure is of relevance given the Amendment includes measures to collect and administer Development Contributions.

4.3 Municipal Strategic Statement and Local Planning Policy Framework

The Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) provide a local planning policy context for decision making.

Clause 21.01 Municipal Profile of the Hume Planning Scheme identifies that (inter alia) *Hume City is designated as one of five growth areas in metropolitan Melbourne. Implications of rapid development in the region area: increased competition of the attraction of major employers and industry and changing land use patterns at municipal borders.*

The key influence on land uses with Hume City Council are:

- *Urban growth, including urban pressures on the rural hinterland and management of green wedge areas.*
- *Ensuring infrastructure meets the needs of the community.*
- *Areas of Environmental and Heritage Significance.*
- *Areas of significant landscape.*
- *The protection and sustainable use of agricultural land.*
- *The local economy including employment opportunities.*
- *Melbourne Airport.*

Council's vision for Hume City is a *prosperous, progressive, sustainable and vibrant city: distinguished by the diversity of its community and renowned for social justice and community inclusion.* This vision will be achieved through outcomes that are consistent with the "triple bottom line": social equity, economic prosperity and environmental sustainability.

Clause 21.01-5 identifies the Municipal Strategic Statement as: *Hume City will recognise, enhance and plan for a community which:*

- *Is diverse, prosperous, safe and respectfully of our heritage and environment;*
- *Provides a range of educational and employment opportunities; and*

5.0 Lancefield Road PSP and Submissions

5.1 Submissions Response

I have reviewed the submission lodged by APP Corporation P/L on behalf of Wincity, and the response from the VPA. The following table sets out the matters in contention relevant to my expertise, whether they have been resolved and where they have not, my opinion on a suitable outcome.

Wincity submission

The Wincity submission provided in principle support for Amendment C208 subject to a number of matters. I have been asked to address a number of the outstanding matters and comment as follows:

APP on behalf of WinCity (landowner and Permit applicant)			
REF	ISSUE RAISED	VPA COMMENT	MY OPINION
WinCity1	Supportive of the incorporation of the 'Lancefield Rd Precinct Structure Plan' (the PSP) into the Hume Scheme and the rezoning of the Wincity land parcel to Urban Growth Zone (UGZ) – Schedule 10 and Rural Conservation Zone (RCZ). Further clarification and suggested changes are detailed in this submission.	Support noted.	Noted.
WinCity2	Considering the Biosis assessment of the site's environmental values, as well as the sites topography and waterways Wincity has submitted to the VPA and DELWP that some areas currently zoned RCZ should be UGZ and conversely some areas of UGZ should be RCZ, as previously discussed with the VPA and DELWP. REFER submission for plans.	The majority of these areas are outside the GGF corridor, and hence no adjustment to the boundary of the corridor is required - the exhibited amendment already proposes to rezone a significant portion of this land to UGZ. Portions of the middle section proposed to be included within the UGZ will be able to be considered for development, subject to a satisfactory localised drainage response. A small portion of the southern section is currently inside the GGF corridor, and VPA are discussing changes in this locations with DELWP. It is expected that a formal application for GGF adjustments will be submitted to DELWP for assessment following Panel, but prior to adoption of the PSP	This matter will be addressed in the evidence of Adam Harvey of Biosis.

<p>WinCity3</p>	<p>40m setback from the escarpment is noted as a requirement of a setback from the break of slope even though the zoning is reliant on this topographical change. A more flexible approach should be considered that is responsive to a variety of on-site conditions and outcomes, via the adoption of a range of appropriate road cross sections. Details of this and comments about the requirements are shown further in this submission (REFER submission for requested alternate cross-section details).</p>	<p>The 40m 'interface with escarpment (visual)' has been applied to avoid the visual impact of development from within the creek corridor, adjacent to the creek itself. The VPA agree that where the creek corridor is less narrowly defined (e.g. where a gully/tributary extends from the creek), the 40m setback may not achieve this. The VPA are currently reviewing the application of the 40m mandatory setback in these locations, and will provide more information on our final position as part of our Part B submission to council.</p>	<p>It is my opinion that the 40 metre cross section is excessive and represents a waste of developable land. The environmental benefits are negligible. The protection of views is over stated given that pedestrian access to the creek environs is limited or not available, and screening of development, if needed, can be achieved with lesser setbacks and tree planting. I understand that the VPA is reviewing this position and will be addressed in Part B of their submission.</p>
<p>WinCity4</p>	<p>The BAL rating should be confirmed as per the local conditions, and an appropriate road cross section (as supplied) adopted to meet the defendable space setback. This should not exclude the option of increased setbacks within lots or appropriate building envelopes.</p>	<p>The PSP does not define standard BAL rating requirement for housing abutting the escarpment. There will therefore be scope for a range of bushfire management treatments. The Building Code of Australia was updated in May 2010 to provide greater protection for new housing constructed in areas of potential bushfire threat. The bushfire residential building standards covers the construction of new homes and alterations and additions to a house in the State of Victoria if the building is located in a mapped Bushfire Prone Area or Bushfire Management Overlay (BMO). This provides a higher minimum standard for bushfire resistant construction, affording new housing much stronger protection than was the case prior to 2010.</p>	<p>BAL ratings, if required, will be settled as part of permit conditions (Clause 4.9 of UGZ10).</p>

WinCity5	Plan 5 - incorrectly labels 'interface with railway' on subject property.	This will be corrected.	Noted.
WinCity6	Cross section 'Regionally Significant Landscape: Escarpment top – 4.7. visually sensitive' implies that you must have 25.2 metres buffer distance to a carriageway easement from break of slope. There is a lack of clarity as to why this distance is required given that under this scenario, houses are in excess of 40 metres setback from the break of slope, even though visually that 40 metres includes substantial landscaping, shared path, and a 7.3 metres road carriageway. Where is the impact coming from? Additional clarity needs to be given as to whose view line is being protected and why.	See WinCity 3 above. The view lines being protected are from within the creek corridor itself.	See my response to WinCity 3.
WinCity7	R44 - why within Cross section 'Regionally Significant Landscape: Escarpment top – visually sensitive' have the roads have been excluded from this 20 metres.	See above. The setback apply to development	See my response to WinCity 3.
WinCity8	It appears Figures 4-7 are plans and not cross sections and there is no reference within the PSP document, which we can find, to 'Interface Cross Section' diagrams. These need to be made clear if they're referred to in the PSP.	Interface Cross Sections will be included, as per DELWP's submission.	Noted.
WinCity9	What is the purpose / specific requirement for the 30m 'conservation interface zone' as referred to on Figure 7? This is a poor use of serviceable land and should be deleted from the PSP and mapping.	The Conservation Interface Zone refers only to those areas within 30m of a conservation area boundary. It does not imply no development nor a specific buffer treatment.	Noted and agreed with the response.
WinCity10	Suggest the notation on the determination of the break of slope line to be detained via survey rather than an arbitrary line on the plan as currently shown.	The break of slope line has been redefined based on a virtual 'Walk through' of the site, undertaken by the VPA, Council and Melbourne Water. It is therefore not considered necessary to enable any further refinements through a notation of this type. It is also important that the break of slope is defined in the PSP as the basis for determining zone boundaries in certain locations	This matter will be addressed in the evidence of Andrew Matheson.

WinCity11	Suggest the wording relating to the Linear open space within the Visually Sensitive Cross section is currently not adding towards the sites open space contribution and this is not acceptable.	The setback from the break of slope required in the visually sensitive cross section is required to allow urban development in a location with high landscape values. The development setback is for therefore principally for landscape reasons.	My understanding is that WinCity have withdrawn this submission and will not be pursuing it.
WinCity12	Plan 10 and Figure 7 – The sheer number of shared paths within proximity to each other on our client’s property appears to be excessive and insufficiently justified. It is suggested a consolidated plan showing shared path network to ensure clear and sensible movement patterns.	The shared path network shown within the conservation areas on the Conservation Area Management Plan is indicative, and will be not be required as subdivisional works. The required shared path network as part of subdivisional works is limited to that shown on Plan 10	The VPA response is noted. In my opinion the extra paths create confusion and should be consistent so that only those required for subdivisional works are shown.
WinCity13	Compared to other properties within the PSP, the Wincity is encumbered by a considerably greater area of wetlands / retarding basins that any other parcel within the precinct. It is noted that WL-13, WL-14 & WL-15 provide storm water retardation and quality treatment for external catchments or land outside the subject land and should be allocated for funding as these are a region resource for other upstream.	The DSS are designed based on Melbourne Water's 'Principles for Provision of Waterway and Drainage Services for Urban Growth' (16 principles). Melbourne Water has had extensive consultation and engagement with the drainage consultants of Wincity. Melbourne Water has outlined the process for designing Development Services Schemes and provided a detailed response to proposed changes to asset location. Based on extensive discussions, Melbourne Water is hopeful that WinCity can submit a proposed drainage layout which meets the objectives and requirements of the DSS. It must be noted that the current Section 96A application is not in accordance with the DSS and this position was outlined to the applicant in writing on 10th February 2017.	Drainage matters will be addressed in the evidence of Andrew Matheson.

WinCity14	<p>WL-13 is at least 10-15 years away from development as it relies on Wincity's land being developed to create the need for its water retarding function. This will impact on the timing and development of other upstream land parcels located outside of Wincity's land holding.</p>	<p>Melbourne Water advises that temporary works can be provided on upstream properties if development occurs out of sequence (i.e. from top of catchment to the bottom). In isolation, this is not a sufficient reason to change the location of the DSS asset because there are many factors which have been considered in the location of this asset (topography, geomorphology etc.)</p>	<p>Drainage matters will be addressed in the evidence of Andrew Matheson.</p>
WinCity15	<p>It is also noted that these are uncredited in the Land budget (section 2.3) as open space as is the considerable area of Landscape Values that remains unclear as to its location and why this is not a credited item given it is unusable land that can be adequately serviced.</p>	<p>Drainage assets required under a DSS are paid for by that DSS, and are therefore not credited through the ICP. The Landscape values areas are considered undevelopable for slope, water quality, or landscape reasons, however the VPA and MW are refining the landscape values areas to identify additional areas that may be able to be developed, subject to a localised drainage response.</p>	<p>I agree with the position of the VPA on this matter.</p>
WinCity16	<p>In order to achieve a more equitable spread of assets and realize the benefits 5.15. of other storm water quality treatment technology on the subject land the following amendments to the Integrated Water Management Plan (and MW DDS) are proposed: a) Relocation of WL-12 into the south-east corner of the land located at 250 Lancefield Road.</p>	<p>See Win City 13</p>	<p>Drainage matters will be addressed in the evidence of Andrew Matheson.</p>
WinCity17	<p>b) Relocation of WL-14 immediately to the west of the location shown in the PSP which could eliminate a separate drainage and sewerage sub catchment on the subject land and potentially remove the requirement for WL-16 (Sediment basin);</p>	<p>See Win City 13</p>	<p>Drainage matters will be addressed in the evidence of Andrew Matheson.</p>

WinCity18	c) Relocate the component of WL-13 (or part thereof) which caters for the existing and proposed development on the western side of Lancefield Road to the western side of Lancefield Road;	See Win City 13	Drainage matters will be addressed in the evidence of Andrew Matheson.
WinCity19	d) Relocate WL-15 downstream to the confluence of the two existing watercourses with the provision of a linear wetland or bio-retention cell / retarding basin which better responds the existing topography and vegetation to be retained;	See Win City 13	Drainage matters will be addressed in the evidence of Andrew Matheson.
WinCity20	e) Re-orientation of WL-17 to better respond to the existing topography of this area (the longitudinal axis of the treatment / retarding basin should be oriented parallel to the contours);	See Win City 13	Drainage matters will be addressed in the evidence of Andrew Matheson.
WinCity21	f) Consolidate WL-18 with WL-19 and relocate WL-19 either to the south east or south west of the location shown in the PSP which could eliminate a separate drainage and sewerage sub-catchment on the subject land;	See Win City 13	Drainage matters will be addressed in the evidence of Andrew Matheson.
WinCity23	WL-13 is at least 10 -15 years away from development as it relies on Balbethan 5.17 and Huntley Lodge being developed to create they need for its water retarding function. Wincity should not be held to ransom given the long time frame for development to the north of its catchment.	See Win City 13	Drainage matters will be addressed in the evidence of Andrew Matheson.
WinCity24	It is also noted that these are uncredited in the Land budget (section 2.3) as open space as is the considerable area of Landscape Values that remains unclear as to its location and why this is not a credited item given it is unusable land that can be adequately service.	Repeated item. See Wincity 15	See WinCity15.

<p>WinCity25</p>	<p>It is considered that bio-retention cells and / or floating wetlands respond to the opportunities and constraints on the subject land and would be more appropriate than traditional constructed wetlands. The following justification is provided:</p>	<p>Melbourne Water has considered the submission for alternative treatment types. Melbourne Water would not support the use of bio retention systems for catchment areas greater than 10 Hectares, consistent with the Melbourne Water 'MUSIC Guidelines' (2016) (pg. 19). Melbourne Water is required to provide a robust, cost-effective plan to manage the quality and increased quantity stormwater run-off as the Regional Floodplain Management and Drainage Authority. Based on the 'Principles for Provision of Waterway and Drainage Services for Urban Growth', Melbourne Water MUSIC Guidelines, constructability, future maintenance implications, we have developed a robust DSS.</p>	<p>Drainage matters will be addressed in the evidence of Andrew Matheson.</p>
<p>WinCity26</p>	<p>It is considered that due to the extent of overland flows from an external catchment to the west of Lancefield Road flowing through the southern-most parcel of land being 45 Gellies Road, that this property should be incorporated into the Oldbury MW DSS or funds made available to in the ICP to undertake some rehabilitation of the existing watercourse environs.</p>	<p>Based on the description, this property is located within the Sunningdale Avenue Development Services Scheme. Works must be in accordance with the DSS. The scheme boundaries (and works) are based on the 'Principles for Provision of Waterway and Drainage Services for Urban Growth'. It is noted that waterways are not an ICP item.</p>	<p>Drainage matters will be addressed in the evidence of Andrew Matheson.</p>

WinCity27	Plan 7 – SR-03 should be located further north. This park is an impost that locates too much open space within Wincity's lands.	While there is a significant amount of drainage land on the submitters site, this is a product of the natural drainage of the land, with a number of significant tributaries of the Emu Creek crossing the land. Given the scale of the landholdings relative to the broader PSP, the planned, credited open space network across the site is not considered excessive.	I agree with the response of the VPA and I understand this submission is not being pursued by WinCity.
WinCity30	With specific regard to the Bulla Bypass, our client supports the VPA and Hume City Council (HCC) in their advocacy of the timing and delivery of the bypass, and is looking forward to seeing it pushed into earlier State budgeting cycles.	Noted. The Bulla Bypass is being actively planned for. VicRoads is currently reviewing the alignment of the Bulla Bypass with the view to applying a Public Acquisition Overlay through a Planning Scheme Amendment shortly. The Sunbury Infrastructure Co-ordination and Delivery Strategy	Noted
WinCity31	UGZ10, point 3.11: Applications on land abutting Fire Threat Edge, reference is made to Plan 5 of the PSP documentation which is stated to show a 'Fire Threat Edge'. However this seems to be omitted from Plan 5 as we are unable to identify it. In addition, R17 also mentions a 'fire threat edge' defined on Plan 5 and refers to appropriate development setbacks. Clarification on where the fire threat edge is located will be essential in understanding the impact of development setbacks on yield. In addition, there also seems to be features missing from the legend such as identification of the primary school site on property number 23.	Following the receipt of additional work on bushfire, the fire threat edge will be deleted from the PSP and UGZ schedule.	Noted.

WinCity32	Section 4.9: Bushfire Risk of Schedule 10 to the UGZ requires a Site Management Plan assessing bushfire risk for any stage of subdivision. It is our view that the requirement for a SMP that addresses bushfire risk should be limited to those stages of subdivision abutting the RCZ only.	This is a standard requirement that relates to all stages of greenfield subdivision. Whilst the RCZ might represent a permanent fire threat, undeveloped land earmarked for future development will present a potential fire threat until such time as it is developed. A Site Management Plan is required to ensure that this threat is managed in the interim	I agree with the VPA response.
WinCity33	We also query the UGZ Decision Guidelines which reference the 'Sunbury Infrastructure Coordination and Delivery Strategy'. We are unclear of the status of this report or its contents.	The Sunbury Infrastructure Co-ordination and Delivery Strategy was exhibited alongside the PSP. However in response to other submissions, the VPA now propose to remove formal reference to this strategy in the PSP and the UGZ Schedule, and to treat this as a background document only	Noted.
WinCity34	In accordance with the amendments sought under section 3.2 of this submission, the boundary of the Incorporated Plan Overlay Schedules 3 and 4 will need to be altered in accordance with any boundary alterations between the RCZ and UGZ.	Agreed. The IPO will be modified to reflect changes in zone boundaries.	Noted.

6.0 Assessment of s96A Permit

I have reviewed the draft Planning Permit that was exhibited as part of the Amendment process, as well as the Draft Assessment prepared by the VPA.

I am satisfied that the permit conditions are reasonable and suitable for a proposal of this sort.

In relation to the draft assessment by the VPA, there are a number of provisions in the PSP that are marked as unclear or unacceptable (shown in red). These matters have been responded to in this statement of evidence or in the statements of evidence of Andrew Tamme (Urban Design) and Andrew Matheson (Engineering). The remaining matters in the draft assessment were shown as being managed by a condition or being acceptable or not applicable, and therefore not in dispute.:

PROV ID	PROVISION	ASSESSMENT	COMMENTS
Image & Character			
R7	Landscape features which include, or are likely to include, Aboriginal cultural heritage must be sensitively incorporated into the subdivision.	The interaction of the development with recorded aboriginal heritage item - Kingfisher Crest 2 is not clear – the item is on the edge of the development and its precise location should be shown against the CHMP to ensure the development is consistent with the CHMP	This matter will be covered in the evidence of Andrew Matheson.

<p>G1</p>	<p>Subdivisions should respond to the topography and enhance the landscape features and view lines identified on Plan 5.</p>	<p>The subdivision protects the escarpment and only occupies the plateau on the land. Revegetation and managed drainage within the regionally significant landscape on the land will assist in enhancing the resilience of the escarpment to erosion in its new urban context.</p>	<p>It is not clear why this was marked in red in the assessment as the words seem to declare support for the proposal.</p>
<p>Housing</p>			
<p>R10</p>	<p>Subdivision of land within walkable catchments shown on Plan 3, which typically comprise residential land within:</p> <ul style="list-style-type: none"> • 400m of local town centres • 200m of community hubs • 100m of local convenience centre • 800m of train stations • 600m of the Principal Public Transport Network must create lots suitable for delivery of medium or high density housing as outlined in Table 2, and achieve a minimum average density of 17 dwellings per net developable hectare (NDH). <p>Applications for subdivision that can demonstrate how target densities can be achieved over time, to the satisfaction of the Responsible Authority, shall be considered.</p>	<p>Additional material is required from the applicant showing residential densities in the walkable catchment. The current application shows a residential density of 14DPH.</p>	<p>This matter will be covered in the evidence of Andrew Tamme.</p>

Open space, Community facilities & Education			
R29	<p>Open space must be provided generally in accordance with Plan 7 and Table 6 of this PSP.</p>	<p>LP-24 (0.25ha), LP-25 (0.75ha), LP-26 (0.25ha) and the landscape open space associated with the escarpment and conservation area are shown on the land on PSP Plan 7. The application provides a 0.22ha local park (labelled town square) consistent with the location of LP-24 and a 1ha space consistent with the location of LP-25.</p> <p>LP-23 is also shown but this is likely to be developed as part of the subdivision north of the escarpment open space.</p> <p>The central local park should be reduced in size to more closely accord with the size guidance of 0.75ha in the PSP and from the municipal council. The application shows it as 33% larger than planned.</p>	<p>This matter will be covered in the evidence of Andrew Tamme. It is my understanding that the amended plans will now demonstrate compliance with these requirements.</p>

R32	<p>All local parks must be located, designed and developed in accordance with the relevant description in Table 6 and any local open space strategy to the satisfaction of the Responsible Authority. An alternative provision of land for local parks to that illustrated on Plan 7 is considered to be generally in accordance with this plan provided the local park:</p> <ul style="list-style-type: none"> • Is located so as to not reduce the walkable access to local parks demonstrated on Plan 7. • Does not diminish the quality or usability of the space for passive recreation. • Is equal to or more than the passive open space provision within the ICP. 	<p>Additional clarity as to the relationship of the requirement to R29 is required. The two local parks shown in the application vary from the sizes shown on Plan 7. However they meet the criteria for variation in that they remain in the same positions as on Plan 7 and retain their intended setting or qualities and their functionality for informal recreation. There is a small reduction in size of the townside park from 0.25ha to 0.22ha but also an increase from 0.75ha to 1.0ha in the central neighbourhood park resulting in an overall increase in the area of land provided for public open space. It is notable that a significant length of open space is provided along the top of the escarpment with plans for it to be landscaped and provided with recreational facilities. The 0.25ha LP-26 shown in the southeast of the land in the PSP is not shown on the plan. However this area of the application requires revision as a result of changes made to the PSP shortly before exhibition; changes to which the applicant was afforded an opportunity to respond.</p>	<p>This matter will be covered in the evidence of Andrew Tamme.</p>
Conservation Area Concept Plan			
G54	<p>Drainage of stormwater wetlands should be designed to minimise the impact of urban stormwater on the biodiversity values of the conservation area.</p>	<p>Further assessment required against drainage scheme.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>
Public Transport			
R66	<p>Bus stop facilities must be designed as an integral part of town centres and activity generating land uses such as schools, sports reserves, and employment areas.</p>	<p>Bus stop locations have not yet been determined by the public transport authority.</p>	<p>Given the response from the VPA it is not possible for the plans to accurately determine bus stop locations at this time.</p>

Integrated Water Management			
R73	Final design and boundary of constructed waterway corridors, retarding basins, wetlands, stormwater quality treatment infrastructure and associated paths, boardwalks, bridges and planting, must be to the satisfaction of Melbourne Water and the Responsible Authority.	The applications does not accord with the drainage layouts shown in the PSP and requires revision following further consultation with Melbourne Water.	This matter will be covered in the evidence of Andrew Matheson.
R74	Stormwater conveyance and treatment must be designed in accordance with the relevant development services scheme or drainage strategy, to the satisfaction of Melbourne Water and the Responsible Authority including: <input type="checkbox"/> Overland flow paths and piping within road reserves will be connected and integrated across property/parcel boundaries. <input type="checkbox"/> Melbourne Water and the Responsible Authority freeboard requirements for overland flow paths will be adequately contained within the road reserves.	The applications does not accord with the drainage layouts shown in the PSP and requires revision following further consultation with Melbourne Water.	This matter will be covered in the evidence of Andrew Matheson.
R75	Stormwater runoff from the development must meet or exceed the performance objectives of the Best Practice Environmental Management Guidelines for Urban Stormwater Management (1999) prior to discharge to receiving waterways.	The applications does not accord with the drainage layouts shown in the PSP and requires revision following further consultation with Melbourne Water.	This matter will be covered in the evidence of Andrew Matheson.

R76	<p>Stormwater conveyance and treatment must ensure impacts to native vegetation and habitat for Matters of National Environmental Significance within conservation areas are minimised to the greatest feasible extent. Where practical natural or predevelopment hydrological patterns must be maintained in these areas.</p>	<p>The impacts of stormwater management on conservation area 22 is not clear. This issue will require assessment following revisions to the stormwater management system required above.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>
R77	<p>The regional stormwater harvesting scheme designed to reduce the volume of stormwater discharge to receiving waterways and their tributaries must be nominated in the approved regional integrated water management plan for the precinct</p>	<p>Not clear what this condition is seeking from the application or whether it is relevant to the application. If it seeks consistency with a regional plan by a water or drainage authority such a matter can be satisfactorily addressed under permit condition by those authorities.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>
R78	<p>Development must have regard to the relevant policies and strategies being implemented by the Responsible Authority, Melbourne Water and Western Water, including any approved integrated water management plan.</p>	<p>The applications does not accord with the drainage layouts shown in the PSP and requires revision following further consultation with Melbourne Water.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>

R79	<p>Water management features proposed in conservation areas must accord with the relevant design requirements prepared by the Department of Environment, Land, Water and Planning (DELWP) for water management assets in conservation areas identified in the Biodiversity Conservation Strategy. Approval from DELWP is required for any additional water management features in conservation areas.</p>	<p>The impacts of stormwater management on conservation area 22 is not clear. This issue will require assessment following revisions to the stormwater management system required above.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>
G68	<p>Development should support and facilitate the use of alternative water supplies nominated in the approved integrated water management plan for the precinct.</p>	<p>It is not clear what plan or document is referred to as being the 'approved integrated water management plan for the precinct'.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>
G69	<p>Maximise the potential for integration of stormwater management infrastructure with recreation and environmental uses in open space where this does not conflict with the primary function of the open space.</p>	<p>There is likely to be significant integration of stormwater management with the landscape open space to be set aside around the Emu Creek tributary. Assessment by Melbourne Water required.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>
G71	<p>The design and layout of roads, road reserves, car parks and public open space should optimise water use efficiency and long-term viability of vegetation and public uses through the use of overland flow paths, Water Sensitive Urban Design initiatives such as rain gardens and locally treated storm water for irrigation.</p>	<p>The applications does not accord with the drainage layouts shown in the PSP and requires revision following further consultation with Melbourne Water.</p>	<p>This matter will be covered in the evidence of Andrew Matheson.</p>

G72	Increase the use of fit-for-purpose alternative water sources such as storm water, rain water and recycled water.	No provision is made to use retained storm water for irrigation. Further review is required by Melbourne Water, Western Water and the Hume City Council.	This matter will be covered in the evidence of Andrew Matheson.										
Utilities													
R81	Delivery of underground services must be coordinated, located, and bundled (utilising common trenching) to facilitate the planting of trees and other vegetation within road verges.	The application does not proposed to use common trenching. It is not clear how achievable this is given the conflicting requirements and determining referral authority status of service authorities.	This matter will be covered in the evidence of Andrew Matheson.										
Retarding Basins Table													
	<table border="0"> <tr> <td data-bbox="331 831 421 855">WI-15</td> <td data-bbox="432 831 499 855">3.40</td> <td data-bbox="510 831 622 887">Retarding Basin</td> <td data-bbox="633 831 745 967">Generally located as shown on Plan 11</td> <td data-bbox="757 831 869 855">Council</td> </tr> <tr> <td data-bbox="331 1023 421 1046">WI-17</td> <td data-bbox="432 1023 499 1046">2.70</td> <td data-bbox="510 1023 622 1078">Retarding Basin</td> <td data-bbox="633 1023 745 1158">Generally located as show on Plan 11</td> <td data-bbox="757 1023 869 1046">Council</td> </tr> </table>	WI-15	3.40	Retarding Basin	Generally located as shown on Plan 11	Council	WI-17	2.70	Retarding Basin	Generally located as show on Plan 11	Council	WI-15 and WI-17 are shown on the land in the PSP. Neither of these assets are represented on in the application. The application requires revision following further consultation with Melbourne Water.	This matter will be covered in the evidence of Andrew Matheson.
WI-15	3.40	Retarding Basin	Generally located as shown on Plan 11	Council									
WI-17	2.70	Retarding Basin	Generally located as show on Plan 11	Council									

7.0 Revised Town Centre Concept Plan

It is my understanding that the VPA and Hume City Council have been in discussions in relation to the format of the Town Centre that forms part of the Wincity site. To that end, they have forwarded a plan (see Appendix A) that I understand will be the basis of their submission in relation to how the site should be developed. This will manifest itself in an amendment to Plan 6 and more importantly Figure 3 (p25) of the PSP.

It is my understanding that Wincity have accepted the revised design in principle, however there are a few shortcomings with the layout that will need to be addressed before that plan can be substituted for the current Figure 3.

These matters are:

- **Apparent Road Widening:** The amount of apparent road widening appears to be excessive and should be limited to the 20 metres required along Lancefield Road.
- **Drainage:** The Melbourne Water Drainage Scheme nominates the northern sector of the design as a retarding basin and it is my understanding that Andrew Matheson's evidence will state that this is a required element. The community facilities nominated in this segment will need to be relocated.
- **Road Through Southern Section:** Andrew Tamme will address this road in his evidence.
- **Location of Community Facilities:** Given the drainage issue noted above, it is my opinion that the most logical place for the community facilities to be located is their original position to the north of the school. I am of the view that this location should be re-adopted.
- **The intersection at Lancefield Road:** Chris Butler of Cardno will address this in his traffic evidence.

8.0 VPA Request for Further Information and Amended Plan

8.1 Request for Further Information

In a letter dated 18 July, 2017, the VPA asked for further information in relation to the application for Planning P18855. They have been responded as follows:

- The Subdivision Design Guidelines have not been prepared at the time of writing but will be provided prior to WinCity's submissions to the Panel Hearing; and
- The Phase 2 Environmental Statement has not been prepared at the time of writing but I am advised that the VPA require their provision prior to the finalisation of the permit.
- The Changes to the Application have been undertaken and have been addressed in the evidence of Andrew Tamme.

8.2 Amended Plan

As a consequence of above letter, the revised Town Centre Plan and the responses from the VPA to submissions made by WinCity, the plan to be the subject of Planning Permit P18855 has been amended and will be circulated as part of the evidence statements being circulated on 14 August, 2017.

The amended plan and its changes will be summarised in the evidence of Andrew Tamme.

9.0 Conclusion

It is my opinion that Amendment C208 is worthy of support and Planning Permit P18855 is worthy of approval subject to the following:

- Changes to the interface with the escarpment (WinCity3)
- Rationalisation of the pathways in Plan 10 and Figure 7 so as to show only paths relating to subdivisional works (WinCity12)
- Amendments to the proposed revised Town Centre plans prepared by Council
- The provision of further information and acceptance of the amended plan in relation to Planning Permit P18855

I am satisfied that the conditions in Planning Permit P18855 are reasonable.

I am satisfied that the changes to the UGZ10 are reasonable.

NICK HOOPER

Taylors

August

2017

Appendix A – Revised Town Centre Plan

