

Amendment C228 - Minta Farm PSP 11- Submission summary - 2018

Victorian Planning Authority: consideration of submissions

Item No.	Submission	Sub-Category	VPA Response	VPA Comments	Status
Submission 36 - Stockland					
36.01	Drainage - Awaiting final drainage strategy from Melbourne Water. Pursuing co-location of Wetland WL3 within the Cardinia Creek Corridor. Requests flexibility be provided within PSP to allow for variations to the drainage network to be considered at the planning permit stage.	Drainage	Agree in partial	Melbourne Water and DELWP are currently preparing a revised Drainage Strategy for the precinct, to address outflow requirements and meet biodiversity objectives for Commonwealth and State listed species in the Conservation Area. Melbourne Water and DEWLP will be the responsible authorities for endorsement of the final Drainage Strategy and any subsequent variations to the Strategy. This comment has been passed onto Melbourne Water and DEWLP for consideration. The 'Generally in accordance' principle is considered to address flexibility in addressing alterations to the network. In addition, R83 is intended to allow for flexibility in considering adjustments to the drainage strategy, subject to the satisfaction of the responsible authority.	Unresolved
36.02	Drainage Strategy and Surplus Land - Seeking clarification in the PSP that any surplus drainage land can be developed for uses consistent with the designation of adjoining land (i.e. residential in the case of Wetland WL3). Requests that work on the drainage strategy is completed and circulated for review before evidence is required to be circulated for any Panel hearing.	Drainage	Agree in partial	Generally in accordance should address the use of surplus land resulting from detailed design efficiencies. The preliminary Base Case drainage strategy is intended to be completed prior to the Panel Hearing. VPA will be seeking to table an updated FUS at the Panel Hearing illustrating the generally accepted revised drainage outcomes. The Requirements and Guidelines are proposed to be clarify the consideration and use of surplus land, to the satisfaction of the responsible authority. Option being tested with Melbourne Water is to Amend R83 to include - "Where the responsible authority is satisfied that land shown as a waterway or drainage asset is unlikely to be used for such purposes, that land may be used for an alternative purpose which is generally consistent with the surrounding land uses and the provisions of the applied zone."	Resolved
36.03	Open Space - Seeking movement of the Hilltop Park (LP-07) to the west, in accordance with the proposed Stockland FUS.	Open Space	Agree in partial	Generally supported. Key objectives for the park location was driven by retention of the hilltop point, inclusion of key trees of value (including amenity), view lines to LTC and scale - meeting credited open space requirements. Casey's view to protect the Workers Cottage may influence this outcome. VPA to test park allocation. Seeking further feedback from Stockland on park location.	Decision pending
36.04	Requests review of the distribution and scale of local open space in the southern residential area to improve access to these areas.	Open Space	Agree in partial	Generally supported. VPA will review open space allocations in accordance with suggested preferences. Consideration supported for minimum of 1 ha local parks, as per Council standard. Casey has also sought to review the application of an east west local park to connect the LTC to the Conservation Area. Seeking further feedback from Stockland on southern park locations.	Decision pending

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36.05	Stockland requests the deletion of the Local Convenience Centre (Advice in Appendices 3), which asserts that a smaller format supermarket in this location is not viable. Requests that the land occupied by the centre should be reverted to residential purposes.	Employment	Needs further review	Noted. Planning for the LCC assumed the provision would support convenience shopping access for nearby residents. This will be informed by expert advice - awaiting proponent evidence.	Decision pending
36.06	Transport Network - Seeking reserving land and constructing a single carriageway (on the Stockland landholding only) prior to Statement of Compliance on the 1,200th lot on the Stockland project.	Lot Cap	Disagree	Noted. The VPA supports the objective to reserve the land and deliver the road connection. The proposed lot cap has been challenged by multiple parties. As a result, further traffic assessment will be undertaken to inform the need to revise the lot cap. Linking the cap to the statement of compliance is not supported.	Unresolved
36.07	ICP - Asserts that external road works (i.e. O'Shea and Beaconsfield interchange works) is a VicRoads responsibility and is not appropriate or equitable to be included in the ICP.	ICP	Disagree	<p>The PSP is required to outline the interim road improvement requirements of development for local and state infrastructure items. The North South arterial is a key component of delivering an effective network to support vehicle movement to the precinct. Delivering the interim arrangements requires connections and works to state road reservations and infrastructure. The ICP has included such interim arrangements to support the option for connecting to state level infrastructure in the initial stages of development.</p> <p>The ICP is able to include interim improvements to council or declared state arterial roads - The Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans, Table 3: Transport construction standard levy allowable items:</p> <p>Intersections (traffic signals or roundabouts) with council or declared State arterial roads. This includes:</p> <ul style="list-style-type: none"> • arterial and arterial road intersections; and • arterial and connector road intersections. <p>The ICP will be reviewed inline with revised interim intersection requirements. This is considered resolved as The Ministerial Direction allows for the interim inclusion.</p>	Resolved

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36.08	Requests that the ICP be made available for review in advance of the hearing. Stockland would like the opportunity to review the scope, costings and assumptions.	ICP	Disagree	Not supported. The ICP is not required to be exhibited if it does not trigger a supplementary levy. This planning scheme amendment is prepared under section 20A of the Planning and Environment Act 1987 (the Act). Exhibition and notification requirements of sections 17, 18 and 19 of the Act do not apply in respect to this type of amendment. Should the PSP review of interim improvements result in triggering a supplementary contribution, the entire ICP will be exhibited and made publically available for peer review. The ICP will be reviewed inline with the final FUS and necessary infrastructure improvement requirements. This is considered resolved as a streamlined amendment process is applied to a 'Standard Levy' ICP.	Resolved
36.09	Requests change to Condition 30 which relates to how the GAIC liability of public land is managed. Condition 30 effectively requires that any public land carries no GAIC liability. This means that any applicable levy would need to be discharged by Stockland before the land is transferred to Council. Stockland submits that if Council wants land to be 'GAIC free' it should take this into consideration when agreeing to the value of the land. If the land is not to be developed (i.e. road widening) and GAIC is not ultimately triggered, then Council should accept the land as 'GAIC pregnant'. Similarly, if the land is transferred to Council and is to be developed by Council, then Council should be liable to pay GAIC.	96A	Disagree	Assumed this refers to condition 26 on the draft planning permit (not 30 as stated). The PSP aims to ensure certainty regarding land take requirements for public lands - local parks, roads, and drainage assets and waterways. In accordance with Part 9B of the Planning and Environment Act, GAIC is payable on all land, as specified by the provisions of Type A-B-2 land. In addition, Condition 26 complies with Council adopted policy - Subdivision Policy for New Estates, 5 September 2017. Council requires GAIC clearance certificates on all public land to be vested in Council prior to issuing a statement of compliance. This is considered resolved in accordance with the requirements of the Act.	Resolved
36.10	Stockland requests that the VPA immediately request a Panel and that consideration be given to: - extending the time between the directions hearing and hearing to facilitate discussions between the parties; and - VPA circulating its Part B submission prior to the parties circulating evidence.	Panel	Noted	Noted.	Comment only or no viable resolution through Amendment
36.11	<i>Appendices 4 - Requested Changes to Requirements or Guidelines - R3: Subdivision must demonstrate an appropriate response to the existing topography and minimise the need for earthworks, excavation and cut and fill earthworks.</i> R3 should be amended to offer flexibility in detailed design by using 'should' not 'must'.	Requirements & Guidelines	Agree in partial	Consideration of key constraints should be included by Council officers when determining the suitability of necessary supporting materials. Proposed to amend R3 to include reference to consideration of 'constraints'. R3: Subdivision must demonstrate an appropriate response to the existing topography <u>and constraints</u> , and minimise the need for earthworks, excavation and cut and fill earthworks.	Resolved

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36.12	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R4: Subdivision applications for land of a slope greater than 5 percent must be accompanied by the following information, as appropriate:</p> <ul style="list-style-type: none"> • A plan showing lot boundaries, contours, and slope. • An indication of the type, location and approximate depth of any proposed earthworks. • An indication of the type, location and approximate height for proposed retaining structures. • Indicative building envelopes. • Indicative lot access arrangements consistent with council standards for crossover design. <p><i>Would be more appropriately dealt with at FLP stage as a condition of permit. This detailed design is not always able to be prepared at the time when an application is made. Detailed engineering design is done further into the process, when there is certainty about the layout and the chance of a permit being issued.</i></p> <p><i>An application can talk to options available for managing slope and this can be refined at the detailed design stage.</i></p> <p><i>Suggest rewording to the following:</i></p> <ul style="list-style-type: none"> • Subdivision applications for land of a slope greater than 5 percent should be accompanied by the following information, as appropriate and if available: 	Requirements & Guidelines	Disagree	Noted. This is a standard requirement that seeks to ensure that urban design outcomes for building layouts, retaining walls, fencing, and crossovers are considered in more detail at the subdivision stage. The current wording is considered to provide an adequate level of flexibility regarding the level of information to be provided - "as appropriate".	Unresolved
36.13	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R5: Subdivision of land within walkable catchments illustrated on Plan 5 must include creation of lots suitable for delivery of medium and high density housing as outlined in Table 2, and achieve a minimum average density consistent with the densities identified in Plan 5. Walkable catchments typically comprise residential land within: • 600 metres from the Principal Public Transport Network (PPTN) bus routes. • 400 metres of local town centres. • 200 metres of community hubs. • 100 metres of local convenience centres. • 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>Requests the deletion of the Local Town Centre with the underlying land shown as residential and within the walkable catchment.</p>	Requirements & Guidelines	Disagree	The Local Town Centre is intended to have an Applied Zone Provision of Commercial Zone 1. Whilst this zone provision will allow for residential apartment uses, the function of Plan 5 is primarily to illustrate the desired density for and housing choice options for the 'residential' zoned areas. This is considered resolved as the walkable catchment is not applied to the town centre zoning.	Resolved

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36.14	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R6: <i>Subdivision applications must include indicative building envelopes for any lots identified for medium density, high density, or integrated housing that suitably demonstrate:</i></p> <ul style="list-style-type: none"> • <i>Active interfaces with adjacent streets, open spaces and waterways.</i> • <i>Safe and effective vehicle and pedestrian access and internal circulation, as appropriate.</i> • <i>Servicing arrangements.</i> <p>This information does not normally need to be supplied with a planning permit application. Those lots may be subject to a future planning permit, or the Small Lot Housing Code. As such, envelopes would pre-empt any further approval process either a permit, or Code assessment.</p> <p>We note that if the Code is to be used, then this would be referenced as a restriction on title. These measures would not be necessary.</p> <p>Stockland seeks the deletion of this Requirement.</p>	Requirements & Guidelines	Agree in partial	<p>Noted. This requirement has been established to ensure that subdivision for higher density areas consider appropriate layout and design outcomes for the site. To allow for a more flexible approach to detailed information, it is proposed to amend R6: Subdivision applications for any lots identified for medium density, high density, or integrated housing <u>must include layouts for lots and suitably demonstrate consideration of:</u></p> <ul style="list-style-type: none"> • <u>Appropriate building massing and scale</u> • <u>Active interfaces with adjacent streets, open spaces and waterways.</u> • <u>Safe and effective vehicle and pedestrian access and internal circulation, as appropriate.</u> • <u>Servicing arrangements.</u> 	Resolved
36.15	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R8: <i>Development within the Transitional Housing area fronting the conservation area, as identified in Plan 5 and illustrated on Figure 1, must:</i></p> <ul style="list-style-type: none"> • <i>Be a single dwelling on a lot fronting the conservation area.</i> • <i>Have a minimum front setback of 6 metres.</i> • <i>Have low or visually permeable front fencing.</i> • <i>Have a minimum lot size of 500 square metres.</i> <p>Stockland agree that development along this interface needs to be sensitive to the conservation area. Stockland request that this requirement be less prescriptive to allow alternatives to be considered at the planning permit stage.</p>	Requirements & Guidelines	Disagree	<p>The McPherson PSP Panel recommended changes to the Transitional Housing concept plan and associated Requirements and Guidelines. Propose to amend R8 to reflect the changes made in the McPherson PSP to maintain a consistent treatment of Transitional Housing. This action has been supported by Council.</p>	Unresolved
36.16	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R12: <i>Development proposals within the Local Convenience Centre area must be generally in accordance with Figure 3 and must address the design principles outlined in Appendix 4.4.</i></p> <p>Delete this requirement on the basis of Stockland's submission to delete the LCC.</p>	Requirements & Guidelines	Needs further review	<p>Pending outcome of LCC. Awaiting proponent expert advice and peer review.</p>	Decision pending
36.17	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R13: <i>Active frontages must be provided to Grices Road, the connector streets and the local access streets in accordance with Figure 3.</i></p> <p>As above.</p>	Requirements & Guidelines	Needs further review	<p>Pending outcome of LCC. Awaiting proponent expert advice and peer review.</p>	Decision pending

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36.18	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R46: <i>Educational, community or civic infrastructure not shown on Plan 3 must be located within or proximate to a town centre, local convenience centre, community hub or council community building, as appropriate.</i></p> <p>Delete. This is covered by G45.</p>	Requirements & Guidelines	Disagree	Not supported. This is considered resolved as R46 seeks to provide direction for higher order facilities and infrastructure, whereas G45 is intended to indicate a preference to guide smaller operators and other community serving businesses to the town centres or community hubs.	Resolved
36.19	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R70: <i>Pedestrian movement must be prioritised in the design of main streets while supporting local traffic to assist access and activity.</i> Noted, that no main street is included in Stockland's portion of the PSP.</p> <p>N/A – Local Town Centre not located on the site</p>	Requirements & Guidelines	Disagree	Not accepted. This is considered resolved as Requirements and Guidelines apply to the entire precinct, where relevant.	Resolved
36.20	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R75: <i>Connector streets must be constructed to property boundaries where an inter-parcel connection is intended or indicated in Plan 10 by any date or stage of development required by the responsible authority.</i></p> <p>Stockland object to the inclusion of this requirement. Road connections should be delivered as required, having regard to the findings of the traffic report supplied with the planning permit application. The timing of connections cannot be dictated by the responsible authority. There must be a nexus between the proposed development and the delivery of the connection.</p>	Requirements & Guidelines	Agree in partial	Proposed to amend R75 to reflect consideration of the Permit Application. R75: Connector streets must be constructed to property boundaries where an inter-parcel connection is intended or indicated in Plan 10, in accordance with the requirements and staging of the Permit, <u>to the satisfaction of the responsible authority.</u>	Resolved
36.21	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R96: <i>The north-south arterial road as funded by the Minta Farm ICP must be delivered prior to the subdivision of the 1,001st aggregate residential lot unless otherwise agreed in writing by the relevant road management authority.</i></p> <p>Stockland's submission is that the lot cap should be increased. This matter is under review and Stockland reserve the right to make further submission on this point.</p>	Requirements & Guidelines	Needs further review	Consideration pending outcome of additional traffic assessment and peer review. Permit trigger for lot cap is considered suitable due to the perceived impact to the immediate road network. This will be reviewed as part of the outcome of additional traffic testing.	Decision pending
36.22	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - R97: <i>Development abutting the north-south arterial road must prioritise early delivery of the road to the satisfaction of the responsible authority. The north-south arterial road must be constructed to property boundaries where an inter-parcel connection is intended or indicated in Plan 10 by any date or stage of development required by the responsible authority.</i></p> <p>Same comment as R75. The responsible authority simply cannot require the construction of the road in the absence of any nexus.</p>	Requirements & Guidelines	Agree in partial	Seeking to amend to clarify Permit requirements. Amend R97: <u>For</u> development abutting the north south arterial road, staging must prioritise the delivery of the road, to the satisfaction of the responsible authority. <u>Delivery</u> of the north-south arterial road must prioritise construction to property boundaries where an inter-parcel connection is intended or indicated by Plan 10, <u>in accordance with the staging requirements of the Permit.</u>	Resolved

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36.23	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - G11: <i>Use and development of the Grices Road local convenience centre should supplement commercial demand created from the Clyde North PSP and future Officer South Employment PSP areas.</i></p> <p>Deletion requested. Stockland does not believe that the LCC will be viable – refer to submission.</p>	Requirements & Guidelines	Needs further review	Noted. Awaiting proponent expert evidence and peer review.	Decision pending
36.24	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - G45: <i>Private childcare, education facility, medical or similar facility not shown on Plan 3 should be located proximate to a town centre or community hub.</i></p> <p>Update to provide greater flexibility. Add to the end', or other locations as agreed by the responsible authority'</p>	Requirements & Guidelines	Agree in partial	Generally supported. As a guideline, it should provide enough flexibility to consider alternatives. Proposed to amend G45: Private childcare, education facility, medical or similar facility not shown on Plan 3 should be located proximate to a town centre or community hub, <u>or other locations as agreed by the responsible authority.</u>	Resolved
36.25	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - G47: <i>Co-locate public open space areas with the conservation area and waterways to provide a buffer to development where appropriate.</i></p> <p>Amend to allow for co-location of drainage assets in the BCS corridor Reword to: Co-locate drainage assets and public open space areas with the conservation area and waterways to provide a buffer to development where appropriate.</p>	Requirements & Guidelines	Agree in partial	Generally supported. Proposed to Amend G47 to read: Co-locate public open space areas <u>and drainage assets</u> with the conservation area and waterways to provide a buffer to development where appropriate, to the satisfaction of the responsible authority.	Resolved
36.26	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - G64: <i>Integrated water management, where practicable, should be designed to:</i></p> <ul style="list-style-type: none"> • <i>Maximise habitat values for local flora and fauna species.</i> • <i>Enable future harvesting and/or treatment and re-use of stormwater.</i> <p>Amend to provide flexibility for the co-location of assets and the ultimate development of the surplus land. Where a drainage asset is relocated, the 'available' land may be used / developed for the purpose nominated for the adjacent land. If the PSP nominates a shared path or trail network through that area, this connection must still be delivered.</p>	Requirements & Guidelines	Disagree	Not supported. This is considered resolved as the desired outcome is considered to be not relevant to this guideline objective. The desired outcome for 'surplus land' is now proposed to be addressed as part of the amendment to R83 to include - "Where the responsible authority is satisfied that land shown as a waterway or drainage asset is unlikely to be used for such purposes, that land may be used for an alternative purpose which is generally consistent with the surrounding land uses and the provisions of the zone applied zone."	Resolved
36.27	<p>Appendices 4 - Requested Changes to Requirements or Guidelines - G69: <i>Development staging should provide for the early delivery of sports reserves, community facilities, parks and playgrounds.</i></p> <p>Amend to: Development staging should provide for the early delivery of land for sports reserves and community facilities and the early development of local parks and playgrounds. Whilst Stockland does not have any active open space or community facilities on the land, this just clarifies that Stockland is only responsible for the early development of local parks.</p>	Requirements & Guidelines	Disagree	Not accepted. This is considered resolved as Requirements and Guidelines apply to the entire precinct, where relevant.	Resolved