

VPA Projects Standing Advisory Committee – Referral 4
Hume Planning Scheme Amendment
Craigieburn West Precinct Structure Plan (PSP 1068)

1760, 1780 Mickleham Road and 640 Craigieburn Road, Mickleham

Date of Inspection: 13 April 2021

Date of Report: April 2021

Report prepared for **Submitter No. 16**

Report prepared by **Marco Negri**



1760, 1780 Mickleham Road and 640 Craigieburn Road, Mickleham

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Attachment 1 Expert Witness Declaration

1 Introduction

- 1 I have been requested by **King and Wood Mallesons**, on behalf of Stockland Development Pty Ltd, to consider the planning implications of an Amendment to the Hume Planning Scheme to implement the Craigieburn West Precinct Structure Plan (**PSP 1068**) and to provide expert evidence in respect of my findings.
- 2 Stockland Development Pty Ltd have interest in land within the PSP area (1760, 1780 Mickleham Road and 640 Craigieburn Road Mickleham) and have lodged a submission in respect of the Amendment (**Submission No. 16**).
- 3 The properties at 1760 Mickleham Road (Property 4 in PSP 1068) and 1780 Mickleham Road (Property 6) form the northern part of the PSP area and contain Biodiversity Conservation Area 29 (**BCS29**).
- 4 The property at 640 Craigieburn Road, Mickleham (Property 27), is centrally located within the PSP area.
- 5 Contour Consultants Australia Pty Ltd was not involved with the Planning Scheme Amendment and did not assist Stockland Development Pty Ltd in the preparation of their submissions to the amendment.
- 6 I was engaged to provide an independent opinion in respect of aspects of PSP 1068 relevant to Submission No. 16 on 31 March 2021.
- 7 Attachment 1 provides my response to the Planning Panels Victoria Expert Witness Guidelines and the appendix relating to remote hearings.
- 8 In preparing this report, I have:
 - Inspected the sites and familiarised myself with the broader growth area;
 - Reviewed the Hume Planning Scheme;
 - Reviewed the draft Craigieburn West Precinct Structure Plan (PSP 1068), the related planning scheme amendment documents and supporting material;
 - Reviewed submissions related to the PSP and the Amendment;
 - Reviewed the Melbourne Airport Master Plan (2018);
 - Reviewed the Craigieburn R2 Precinct Structure Plan (September 2010);
 - Reviewed the Lindum Vale Precinct Structure Plan (September 2018);
 - Reviewed the Greenvale North (R1) Precinct Structure Plan (January 2011);



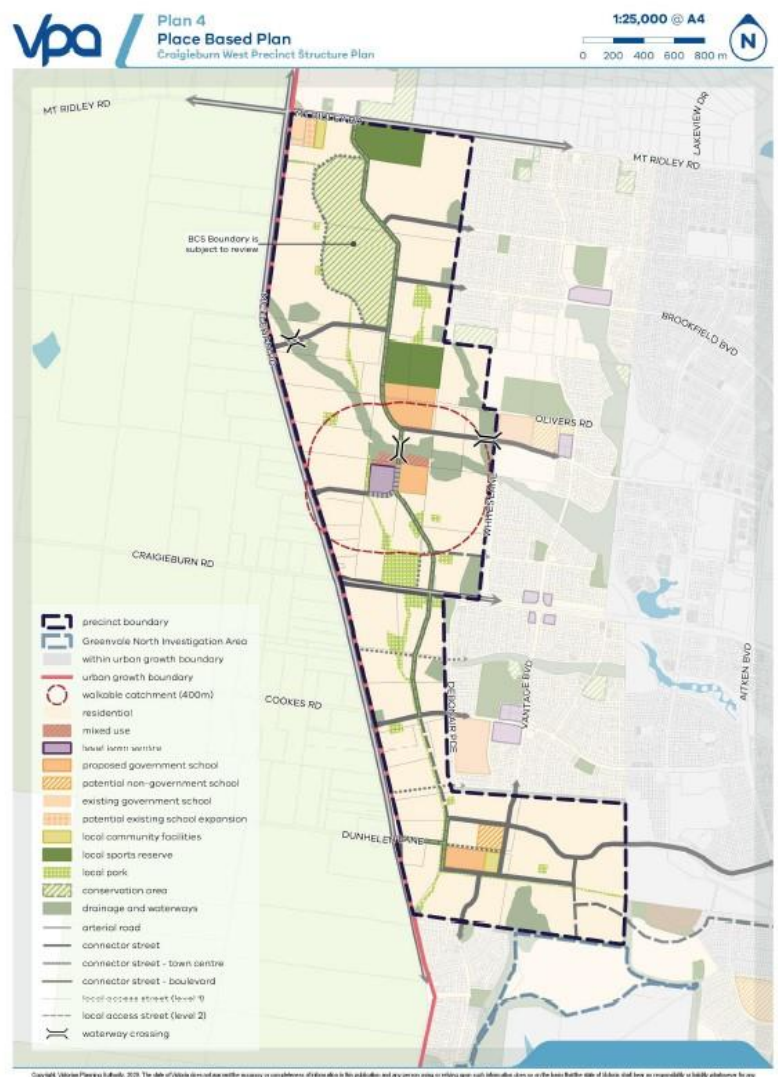
1 Introduction

-
- Reviewed the Biodiversity Conservation Strategy (June 2013);
 - Reviewed Growth Corridor Plans – Managing Melbourne’s Growth (June 2012);
 - Reviewed the North Growth Corridor Plan (August 2012)
 - Reviewed Plan Melbourne 2017 – 2050 Strategy
 - Reviewed the Precinct Structure Planning Guidelines 2013
 - Reviewed the draft Guidelines for Precinct Structure Planning in Melbourne’s Greenfields (September 2020);
 - Reviewed relevant Ministerial Directions and Planning Practice Notes;
 - Reviewed the Hume Corridor Integrated Growth Area Plan (HIGAP) Spatial Strategy (2015).

2 Craigieburn West PSP Area

- 9 The Craigieburn West PSP area applies to approximately 562 hectares of land generally bound by:
 - Mt Ridley Road to the north;
 - the Craigieburn R2 PSP area to the east;
 - the Greenvale North R1 PSP area to the south; and
 - Mickleham Road to the west.
- 10 The Lindum Vale PSP area is further north on the opposite side of Mt Ridley Road.
- 11 The precinct is bisected by Craigieburn Road running in an east/west direction and the Aitken Creek running north-west/south-east.

Figure 2.1
PRECINCT STRUCTURE PLAN AREA



3 The Stockland Land

12 Stockland Development Pty Ltd have interest in the following properties:

- 1780 Mickleham Road, Mickleham, Lot 1, PS7364431 (PSP Parcel 4);
- 1760 Mickleham Road, Mickleham Lot 2, PS3019082 (PSP Parcel 6); and
- 640 Craigieburn Road, Mickleham Lot 1, TP9579133 (PSP Parcel 27).

13 The above land parcels comprise approximately 173 hectares of land and are identified at Figures 2.1 and 2.2.

14 The land at 1780 Mickleham Road is located at the northern end of the PSP area on the south-east corner of Mickleham Road and Mt Ridley Road. It has a frontage to Mt Ridley Road of approximately 1,030 metres, a combined frontage to Mickleham Road of approximately 359 metres and an approximate area of 76.24 ha.

15 The land at 1760 Mickleham Road is located approximately 678 metres south of Mt Ridley Road. It has a frontage to Mickleham Road of approximately 656 metres, a depth of approximately 1,186 metres and an approximate area of 79.63 ha.

16 The land at 640 Craigieburn Road is located on the north side of Craigieburn Road approximately 500 metres east of Mickleham Road. It has a frontage to Craigieburn Road of approximately 410 metres, a depth of approximately 410 metres and an approximate area of 16.26 ha.

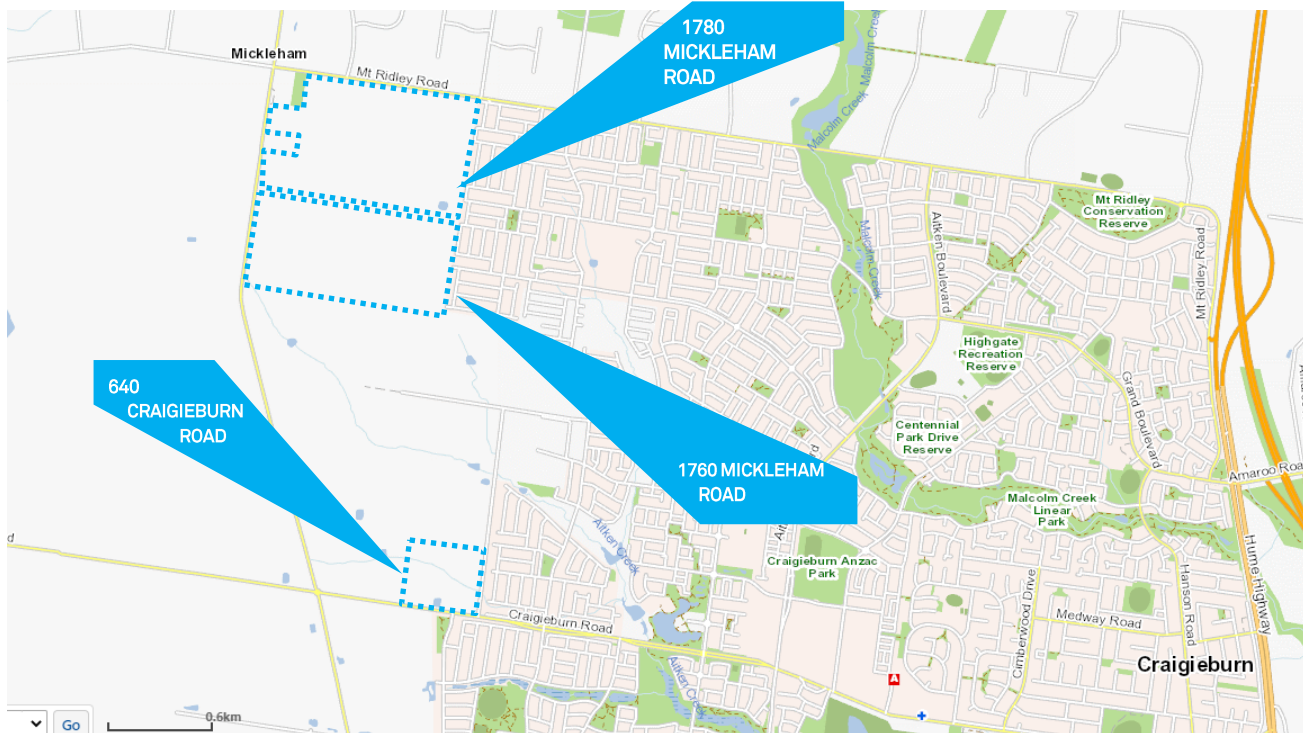
17 The land (1780 and 1760 Mickleham Road) is affected by Conservation Area 29 in the Biodiversity Conservation Strategy (DEPI 2013) (Refer Figure 2.3).



3 The Stockland Land

Figure 3.1
CADASTRAL PLAN

. Source - Vicplan



3 The Stockland Land

Figure 3.2
AERIAL PHOTOGRAPH

Source – Nearmap. Image March 2021

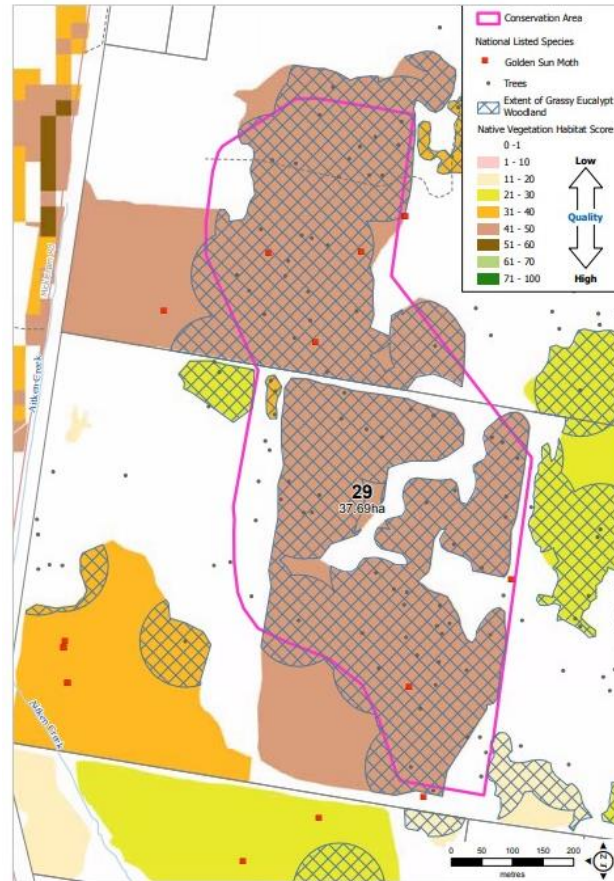


3 The Stockland Land

Figure 3.3
CONSERVATION AREA 29

Extract from the Biodiversity Conservation Strategy

Figure 45: Conservation area 29, Mickleham Road, Mickleham



4 Planning Scheme Provisions

4.1 Planning Policy Framework

18 The following clauses within the Planning Policy Framework are relevant to the consideration of the amendment

- Clause 11 – Settlement
 - Clause 11.01 – Victoria
 - Clause 11.01-1S – Settlement
 - Clause 11.01-1R – Settlement – Metropolitan Melbourne
 - Clause 11.01-1R – Settlement – Hume
 - Clause 11.02 – Managing growth
 - Clause 11.02-1S – Supply of urban land
 - Clause 11.02-2S – Structure planning
 - Clause 11.02-3S – Sequencing of development
 - Clause 11.03 – Planning for places
 - Clause 11.03-2S – Growth areas
- Clause 12 – Environmental and Landscape Values
 - Clause 12.01 – Biodiversity
 - Clause 12.01-1S – Protection of biodiversity
 - Clause 12.03 – Water Bodies and Wetlands
 - Clause 12.03-1S – River corridors, waterways, lakes and wetlands.
 - Clause 12.05 – Significant environments and landscapes
 - Clause 12.05-2S – Landscapes
- Clause 13 – Environmental Risks and Amenity
 - Clause 13.02 – Bushfire
 - Clause 13.02-1S – Bushfire planning
 - Clause 13.04 – Soil Degradation
 - Clause 13.04-1S – Contaminated and potentially contaminated land
 - Clause 13.05 – Noise



4 Planning Scheme Provisions

- Clause 13.07 –Amenity and Safety
- **Clause 14 –Natural Resource Management**
 - Clause 14.02 –Water
- **Clause 15 –Built Environment and Heritage**
 - Clause 15.01 –Built Environment
 - Clause 15.02 –Sustainable Development
 - Clause 15.03 - Heritage
 - Clause 15.03-2S –Aboriginal cultural heritage
- **Clause 16 –Housing**
 - Clause 16.01 –Residential Development
 - Clause 16.01-1S –Housing Supply
 - Clause 16.01-2S –Housing affordability
- **Clause 17 –Economic Development**
 - Clause 17.01 –Employment
 - Clause 17.01-1S –Diversified economy
 - Clause 17.01-1R –Diversified economy –Metropolitan Melbourne
- **Clause 18 –Transport**
 - Clause 18.01 - Integrated Transport
 - Clause 18.01-1S - Land use and transport planning
 - Clause 18.02 –Movement network
 - Clause 18.04 –Airports
 - Clause 18.04-1S –Planning for airports and airfields
 - Clause 18.04-1R –Melbourne Airport
- **Clause 19 –Infrastructure**
 - Clause 19.02-6S –Open space
 - Clause 19.02-6R –Open space –Metropolitan Melbourne

4 Planning Scheme Provisions

4.2 Local Planning Policy Framework

- Clause 19.03 – Development infrastructure

19 The following clauses within the Local Planning Policy Framework are relevant to the consideration of the amendment:

- Clause 21.00 – Municipal Strategic Statement
 - Clause 21.01 – Municipal Profile
 - Clause 21.02 - Urban Structure and Settlement
 - Clause 21.03 - Liveable Neighbourhoods and Housing,
 - Clause 21.04 - Built Environment and Heritage
 - Clause 21.05 – Activity Centres
 - Clause 21.07 - Transport Connectivity and Infrastructure
 - Clause 21.08 - Natural Environment and Environmental Risk
- Clause 22.00 – Local Planning Policies

20 The Strategic Framework Plan at Clause 21.01 shows the Craigieburn West PSP area as a future residential land. It shows conservation land and open space on the northern part of the precinct and depicts the location of a Neighbourhood Activity Centre.

21 Clause 21.02-1 provides strategy in relation to Managing Growth and Increasing Choice. It references Growth Corridor Plans, Plan Melbourne and Hume Corridor Integrated Growth Plan (2015) as providing long term strategies for the growth area.

22 It indicates that:

The Growth Corridor plans and the two HIGAP strategies guide the preparation of more detailed precinct scale plans, including Precinct Structure Plans, structure plans and development plans. All these precinct scale plans confirm:

- *the location of town centres and community facilities;*
- *estimated housing yields and the proposed location of higher density housing;*
- *employment areas;*
- *the detailed alignment of important roads; local bus routes and their connections with Principal Public Transport Network (PPTN) and arterial road network;*

4 Planning Scheme Provisions

-
- *land uses that best integrate with the transport network; open space networks, recreation facilities and shared paths;*
 - *defining edges between urban development and areas of high biodiversity and cultural heritage significance, landscape or drainage significance; and*
 - *major sites or easements required for public utilities.*

23 Relevant Objectives include:

- *To facilitate large scale change that meets the needs of Hume's growing population and provides choice and equitable access to a range of housing, employment, transport, services and facilities.*
- *To ensure that the planning for growth in Hume minimises the impact on the environment and heritage.*
- *To provide communities with access to critical transport infrastructure and regional facilities in step with growth.*

24 Clause 21.02-2 provides strategy in relation to the Hume Corridor.

25 Objectives include:

- *To plan for and enable large scale change within the Hume Corridor*
- *To increase the number and diversity of jobs in the Hume Corridor.*
- *To secure the delivery of higher order health, recreation and education facilities in the Hume Corridor.*
- *To reinforce the role of Melbourne Airport as one of Victoria's key economic assets.*
- *To reinforce the role of the Inter Urban Break as a permanent separation and conservation and landscape buffer between conventional density development areas.*
- *To ensure that the growth of the Hume Corridor is supported by an improved transport network*

4 Planning Scheme Provisions

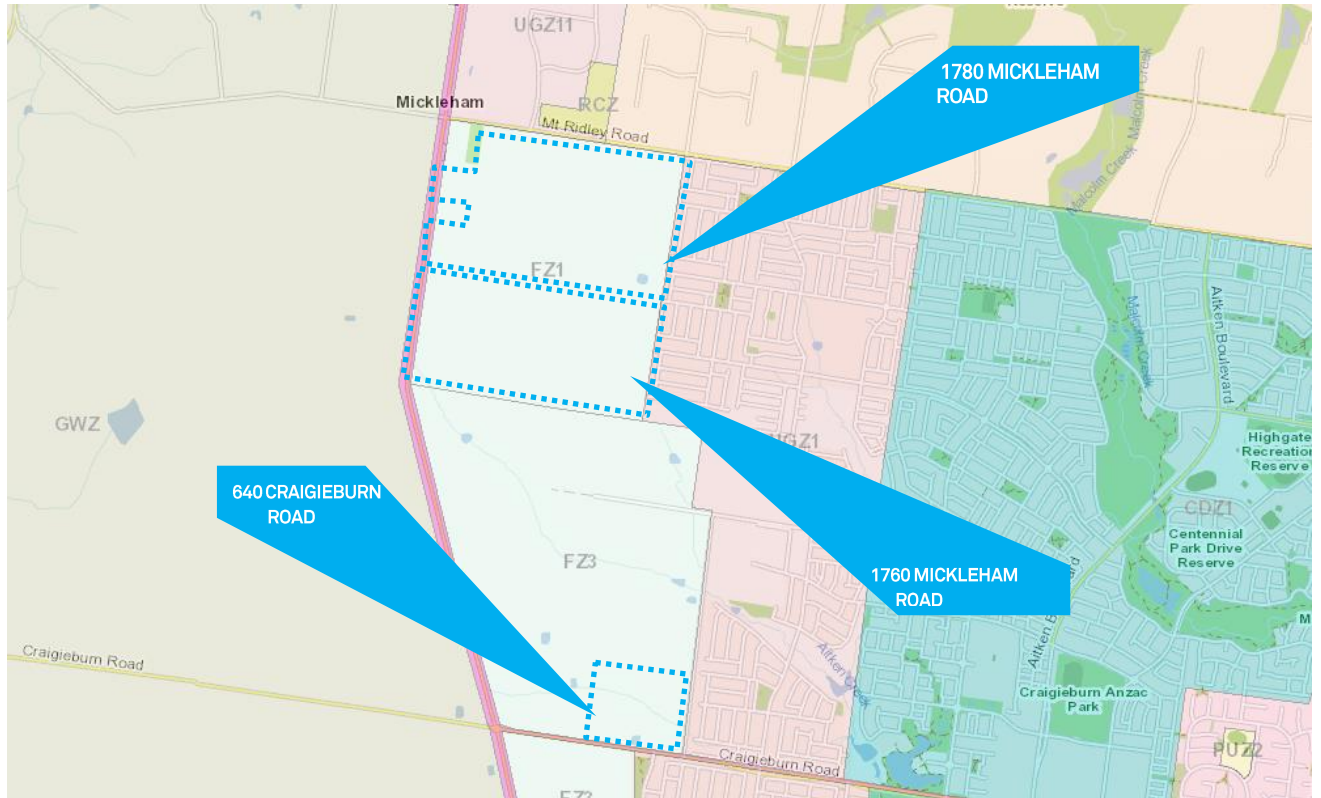
4.3 Existing Zones

- 26 The subject land is currently included in the Farming Zone Schedule 1 (1760 and 1780 Mickleham Road) and Schedule 3 (640 Craigieburn Road).
- 27 The adjoining land to the east is included in the Urban Growth Zone - Schedule 1 (Craigieburn R2 PSP). Land to the north is included in the Urban Growth Zone – Schedule 11 (Lindum Vale PSP). Land to the south of the PSP area is included in the Urban Growth Zone - Schedule 2 (Greenvale North R1 PSP).
- 28 The Urban Growth Boundary, in this location, aligns with Mickleham Road. Land to the west on the opposite side of Mickleham Road is included in the Green Wedge Zone.
- 29 The purpose of the Farming Zone is:
 - *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - *To provide for the use of land for agriculture.*
 - *To encourage the retention of productive agricultural land.*
 - *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
 - *To encourage the retention of employment and population to support rural communities.*
 - *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
 - *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

4 Planning Scheme Provisions

Figure 4.1
ZONING PLAN

Source - Vicplan.

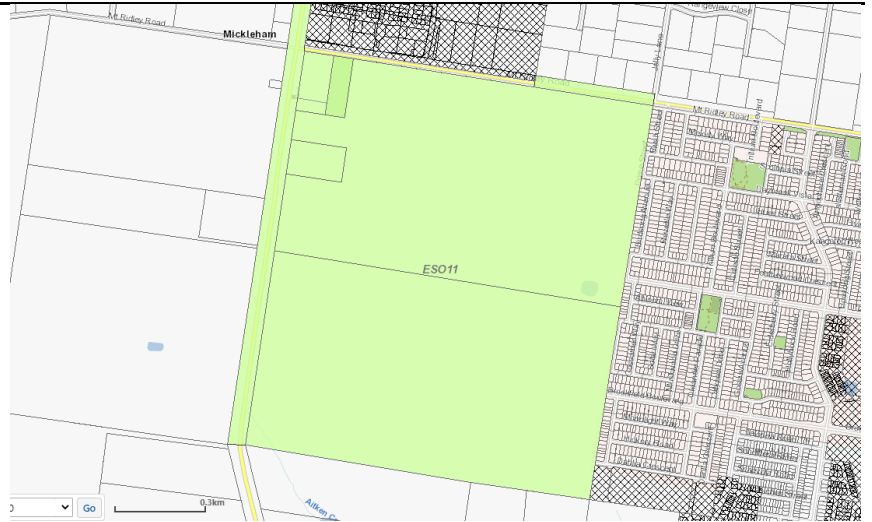


4.4 Existing Overlays

- 30 The land at 1760 and 1780 Mickleham Road is also affected by Environmental Significance Overlay Schedule 11.
- 31 The land at 640 Craigieburn Road is unaffected by Overlays.

4 Planning Scheme Provisions

Figure 4.2
ENVIRONMENTAL SIGNIFICANCE OVERLAY
SCHEDULE 11



5 Hume Planning Scheme Amendment: Craigieburn West PSP 1068

- 32 The amendment proposes to incorporate 'Craigieburn West Precinct Structure Plan, November 2020' into the Hume Planning Scheme.
- 33 It also proposes changes to the Hume Planning Scheme to implement the PSP including:
- Introducing Schedule 12 to Clause 37.07 Urban Growth Zone (UGZ12)
 - Rezoning the majority of the land within the precinct to the Urban Growth Zone (UGZ12)
 - Rezoning land identified in the PSP for conservation outcomes from Farming Zone (FZ1) to Rural Conservation Zone (RCZ).
 - Applying Schedule 10 to the Environmental Significance Overlay (ESO10) to land identified in the PSP for conservation outcomes.
 - Deleting the Environmental Significance Overlay Schedule 11 (ESO11).
 - Introducing Schedule 6 to Clause 43.03 Incorporated Plan Overlay (IPO6) into the Hume Planning Scheme
 - Applying IPO6 to land identified in the PSP for conservation outcomes.
 - Amending the Schedule to Clause 45.01 Public Acquisition Overlay (PAO) to insert PAO5 allowing acquisition by Head, Transport for Victoria for the widening of Craigieburn Road. PAO5 is proposed to affect 1530 Mickleham Road, Mickleham, 700 Craigieburn Road, Mickleham and 680-690 Craigieburn Road, Mickleham.
 - Amending the Schedule to Clause 52.17 Native Vegetation
 - Amending the Schedule to Clause 52.33 Post Boxes and Dry Stone Walls.
 - Amending the Schedule to Clause 66.06 Notice of Permit Applications Under Local Provisions
 - Amending the Schedule to Clause 72.03
 - Amending the Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme to incorporate the Craigieburn West Precinct Structure Plan, November 2020 and amend the Craigieburn R2 Precinct Structure Plan (March 2011, Amended November 2020).



5 Hume Planning Scheme Amendment: Craigieburn West PSP 1068

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- 34 As it relates to the properties at 1760 & 1780 Mickleham Road, the Amendment proposes to:
- Rezone the portion of the land containing BCS29 from the Farming Zone to the Rural Conservation Zone.
 - Rezone the remainder of the land from the Farming Zone to the Urban Growth Zone – Schedule 12.
 - Remove the Environmental Significance Overlay Schedule 11.
 - Apply the Environmental Significance Overlay Schedule 10 to the portion of the land containing BCS29.
 - Apply the Incorporated Plan Overlay Schedule 6 (IPO6) to the portion of the land containing BCS29.
- 35 As it relates to the property at 640 Craigieburn Road, the Amendment proposes to rezone the land from the Farming Zone to the Urban Growth Zone – Schedule 12.
- 36 The urban structure depicted on Plan 4 (Place Based Plan) shows:
- A centrally located Conservation Area (BCS29) on the properties at 1760 & 1780 Mickleham Road;
 - A Local Sports Reserve adjoining Mt Ridley Road on the northern part of 1780 Mickleham Road;
 - A Connector Street along the eastern side of Conservation Area on the properties at (1760 & 1780 Mickleham Road) that extends north-south traversing the property at 640 Craigieburn Road on its route;
 - Various local parks and drainage assets on the properties; and
 - The designation of the remainder of the properties for ‘residential’.

6 Response to Growth Strategy

- 37 The Craigieburn West Precinct Structure Plan (PSP 1068) area was included in the Urban Growth Boundary as part of a broader expansion of Melbourne's Urban Growth Boundary implemented by Amendment VC068 to the Hume Planning Scheme (Gazetted 6 August 2010).
- 38 *Growth Corridor Plans – Managing Melbourne Growth* (June 2012) was prepared to provide a framework to guide the planning of new communities within the expanded Urban Growth Boundary. It identified the PSP area as forming part the Northern Growth Corridor (p. 7).
- 39 *The North Growth Corridor Plan* (August 2012) identifies a patch of the PSP area as having *Biodiversity Values* (BCS29) and shows creeks traversing the precinct. It nominates the PSP area for residential use.
- 40 The Report recognises areas with biodiversity values within the overall growth area and promotes retention of these values. The areas with recognised biodiversity value include an:

...area of confirmed Grassy Eucalypt Woodland in the north west of the current Farming Zone to the east of Mickleham Road, which also supports Golden Sun Moth. This patch of approximately 30 to 40 hectares will be protected for conservation (p.64).

- 41 The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (June 2013) includes a purpose to:

...

- *Identify the land within the growth corridors that is required to be protected due to the sub-regional species strategies and the prescriptions for matters of national environmental significance. (p.3)*

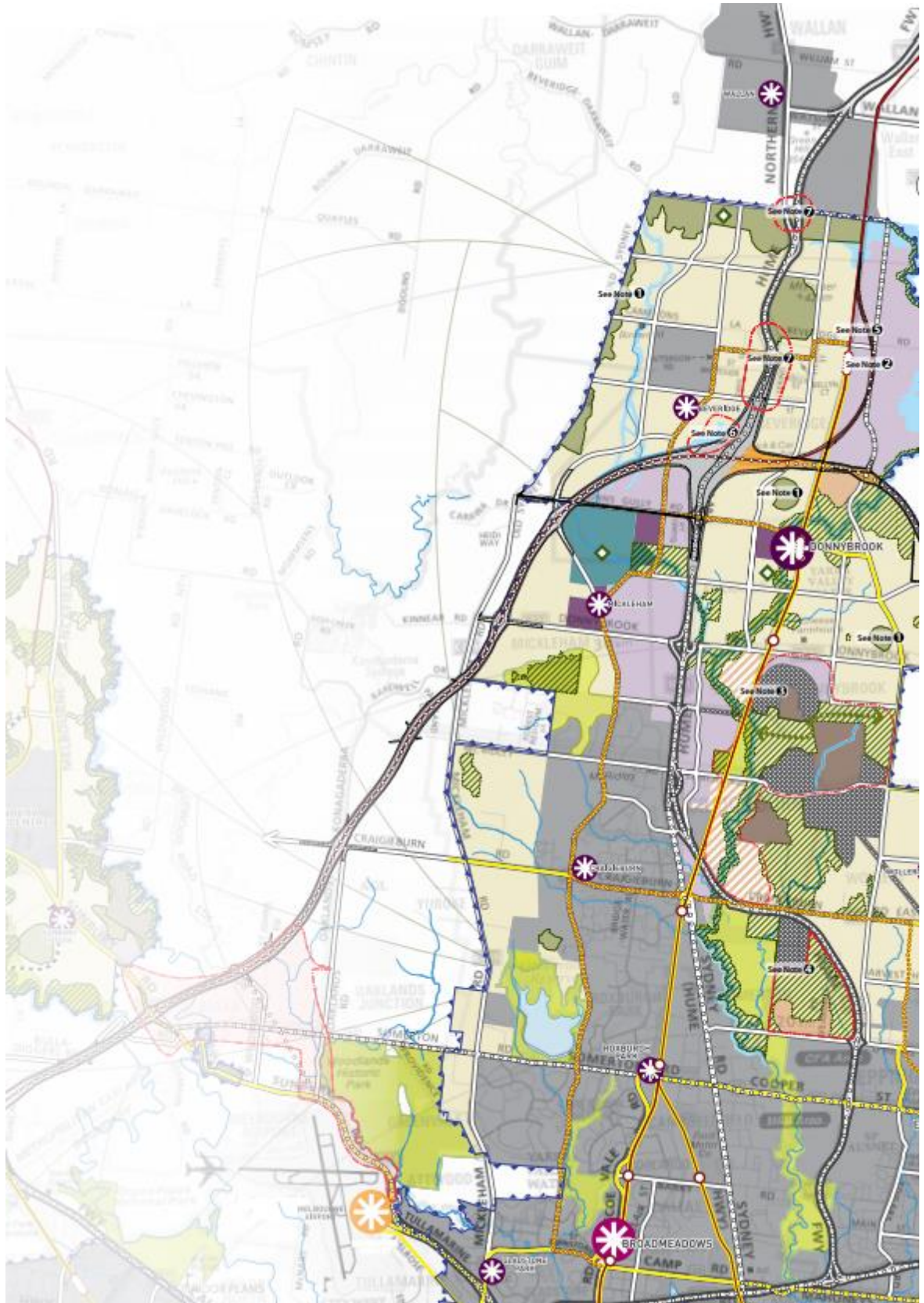
- 42 It identified BCS29 as requiring protection due to its prescription as a Grassy Eucalypt Woodland (p 25). Among other matters, the protection of the conservation area was sought through the following actions:

- *apply appropriate planning provisions to the land depending on the circumstances (may include a Rural Conservation Zone, an Environmental Significance Overlay or another statutory mechanism) to be determined by the State Minister for Planning*
- *prepare conservation management plan and ensure planning provisions for implementation and funding are in place*
- *establish management agreements with landowners under section 69 of the Conservation Forests and Lands Act 1987 and/or transfer land to Crown where an appropriate public land manager is available*



6 Response to Growth Strategy

Figure 6.1
North Growth Corridor Plan



6 Response to Growth Strategy

43 The *Hume Corridor Integrated Growth Area Plan (HIGAP) Spatial Strategy* (December 2015) includes the PSP area in the Mickleham Road North Precinct. The Craigieburn West sub-precinct is located within the northern part of this Precinct.

44 The Strategy identifies Craigieburn West as an area:

...for future residential development and is anticipated to yield over 5,000 dwellings. An additional primary school together with a new community facility is proposed to the south of Craigieburn Road adjoining the future secondary school (see Section 4.7). A second primary school and community facility is proposed together with a neighbourhood activity centre to the north of Craigieburn Road. These facilities should be located to maximise connectivity via the connector road and green network (see Managing Travel Demand).

The existing Mickleham primary school and the community facilities adjoining it will also be considered for retention to meet the needs from this area and the future residential area of Lindum Vale to the north of Mount Ridley Road (see Section 4.8).

The patch of remnant red gums south of Mount Ridley Road will be protected as required by the Biodiversity Conservation Strategy. A number of other scattered trees should also be protected and linked to reserves along drainage lines to achieve a series of connected open space areas that extend into the Craigieburn Precinct and Inter Urban Break and form a broader green network through the Craigieburn and Mickleham Precincts (see Section 3.7).

45 There are a variety of strategies identified for Craigieburn West (p. 67) including an ambition to provide for:

- *between 5,000-5,500 dwellings with medium density housing around the neighbourhood centre and local parks.*
- *a centrally located neighbourhood centre of around 5,000sq.m of retail and commercial development including a supermarket...*

...

- *a primary school with adjoining community facility south of Craigieburn Road.*
- *a primary school and community facility north of Craigieburn Road that is well located to achieve walkable access.*
- *a new sports reserve of 10.25ha immediately south of Mount Ridley Road to ensure good access to active sports provision in Lindum Vale residents.*

6 Response to Growth Strategy

- linear parks and widened road reserves to safeguard scattered trees and deliver a continuous green network through this area into the Craigieburn, Inter Urban Break and Mickleham Precincts.

Figure 6.2
Mickleham North



6 Response to Growth Strategy

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- 46 The proposed Craigieburn West PSP 1068 advances the outcomes sought by the Growth Corridor Plans – Managing Melbourne Growth (June 2012) (**Growth Corridor Plan**), the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (June 2013) (**Biodiversity Strategy**) and the Hume Corridor Integrated Growth Area Plan (HIGAP) Spatial Strategy (December 2015) (**HIGAP**).
- 47 It provides for:
- The protection of BCS29 as a Biodiversity Conservation Area consistent with the Biodiversity Strategy, the Growth Corridor Plan and the HIGAP;
 - The inclusion of BCS29 in the Rural Conservation Zone, Environmental Significance Overlay and Incorporated Plan Overlay consistent with the Biodiversity Strategy;
 - The predominantly residential use of the land consistent with the Growth Corridor Plan and the HIGAP;
 - The potential to accommodate a yield of well over 5000 dwellings consistent with the HIGAP;
 - The provision of a centrally located local town centre consistent with the HIGAP;
 - The provision of a primary school integrated with community facilities and the local town centre, to the north of Craigieburn Road that is centrally located to achieve walkable access consistent with the HIGAP;
 - The provision of a primary school co-located with community facilities south of Craigieburn Road consistent with the HIGAP;
 - Evenly distributed local parks and conservation reserves consistent with the HIGAP;
 - The inclusion of creeks and waterbodies as waterway reserves that integrate with open space and conservation areas;
 - Green links providing connections between open space areas, conservation areas and neighbouring precincts;
 - The retention of various areas containing vegetation; and
 - A road network that provides connectivity to neighbouring precincts and permeability throughout the PSP area.
- 48 The Cranbourne West PSP also follows the guidance of the Precinct Structure Planning Guidelines.

7 Response to Instructions

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- 49 I have been instructed to prepare an expert report that expresses my opinion in relation to the proposed Planning Scheme Amendment to implement the Craigieburn West PSP 1068. In expressing my opinion, I have also been asked to consider submissions made in respect of the Amendment.
- 50 At Section 6 of this Report I have described the growth outcomes sought for the Craigieburn West precinct through the Growth Corridor Plans and the HIGAP.
- 51 I have found the Amendment and the Craigieburn West PSP to advance the growth outcomes of both strategies.
- 52 I have also found that the Amendment aligns with the outcomes of the Biodiversity Strategy in terms of the requirement to protect BCS29. I am aware of a request to Commonwealth to vary the boundaries of BCS29 to achieve an improved ecological outcome. The boundary changes, if approved, would necessitate changes to the urban structure promoted by the Craigieburn West PSP. It would also require changes to proposed zone and overlay boundaries.
- 53 The remainder of my report discusses:
- The proposed alterations to the boundaries of the Biodiversity Conservation Strategy Conservation Area 29 (BCS29);
 - The land area requirement for SR-01 and CI-01;
 - The response of the Amendment and the PSP to implications relating to the operation of the Melbourne Airport;
 - The suitability of the proposed location of schools; and
 - The suitability of the location and distribution of local sports reserves and local parks.



7 Response to Instructions

7.1 Alterations to the BCS29 Boundaries

- 54 The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (June 2013) (**Biodiversity Strategy**) identified Conservation Area 29 (BCS29) that was intended to protect a Grassy Eucalypt Woodland area located on 1760 and 1780 Mickleham Road, Mickleham.
- 55 I understand that the original boundary of BCS29 was based on a review of aerial photography, observations from the street and other remote investigation. These investigations did not involve field inspections.
- 56 Subsequent investigation by the City of Hume and the Department of Environment, Land Water & Planning revealed a benefit in modifying the BCS29 boundary to achieve a net improvement in the quality and quantity of the Grassy Eucalypt Woodland sought to be protected. This modified boundary was to be achieved without reduction to the net developable area of the affected properties.
- 57 BCS29 is contained on the properties controlled by Stockland Developments Pty Ltd. The submission of Stockland Developments Pty Ltd (Submission 16) supports the realignment of the BCS29 boundary subject to qualifications. Submission 16 includes, at Figure 1, a proposed Place Based Plan that responds to the modified BCS29 boundary alignment.
- 58 The realignment of the BCS29 boundary is supported by the City of Hume, DELWP and the party with interest in the affected land. The changes are sought to achieve an improved biodiversity outcome. The changes can be accommodated without reduction to the net developable area.
- 59 Alterations to the boundary of the BCS29 require the approval of the Federal Department of Agriculture, Water and the Environment (DAWE). I understand from the Council submission in relation to the Craigieburn West PSP, that DAWE have provided in principle support, but have not yet formally approved alterations to the boundary.
- 60 The Council support the changes on the basis that the amended boundaries better respond to the biodiversity values of the site.
- 61 The VPA supports the intent of the BCS review on the basis that it ensures that the best quality vegetation is retained within the conservation area.
- 62 Submitter 16 (Stockland Development Pty Ltd) generally support the boundary changes and have prepared an alternative urban structure that responds to the modified boundary.
- 63 This alternative urban structure also:
 - Shifts the active open space (SR-01) from the Mt Ridley Road frontage to adjoin the Conservation Area;

7 Response to Instructions

- Shifts the Community Centre (CI-01) south to front the Connector Road rather than Mt Ridley Road;
- Avoids the need for a green link (GL-02) to Mickleham Road given that the Conservation Reserve now extends to Mickleham Road;
- Offers an opportunity for a green link along the Connector Road to Mt Ridley Road (GL-01) providing links to the Conservation area and the broader open space network.

64 The proposed realignment of the BCS29 boundary should inform modifications to the Precinct Structure Plan, the zone boundaries, the ESO boundaries, the IPO boundaries and the Schedule 12 to the UGZ.

65 The alternative urban structure plan prepared by Stockland Developments and included at Figure 1 of Submission 16 should inform modifications to the Precinct Structure Plan.

7.2 SR-01 and CI-01

66 The Craigieburn West PSP provides for:

- A local sports reserve (SR-01) with an area of 9.5ha on the property at 1760 Mickleham Road; and
- A Community Centre (CI-01) with a site area of 1.2ha on the property at 1760 Mickleham Road.

67 Given the location at the northern edge of the PSP area, these facilities will also serve the future community of Lindum Vale.

68 The Infrastructure Contribution Plan for Lindum Vale identifies SR-01 and CI-01 as ICP Projects. Table 6 describes an Internal apportionment of 50% for each of these projects with the remaining funding source being the Craigieburn West ICP.

69 The ICP, however, appears to assume a lesser site area for each of the items.

70 It appears to assume a site area of:

- 8ha (not 9.5ha) for SR-01, consistent with minimum requirement of Element 5 – Stand 5 of the PSP guidelines; and
- 0.8 ha (not 1.2ha) for CI-01.

71 This is evident from Table 7 that appears to suggest that 50% of SR-01 equates to 4ha (instead of 4.75ha) and 50% of CI-01 equates to 0.4ha (instead of 0.6ha).

72 In order to ensure equitable contribution for the community facilities, the Lindum Vale ICP requires modification to ensure that it provides a sufficient funding source to cover 50% of the respective facilities.

7 Response to Instructions

7.3 Melbourne Airport

73 The Craigieburn West PSP area is located to the north-east of the Melbourne Airport.

74 Clause 18.04-1R of the Hume Planning Scheme includes strategies to:

Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation.

Ensure any new use or development does not prejudice the optimum usage of Melbourne Airport.

75 It requires consideration of:

- the Melbourne Airport Master Plan 2013; and
- the Melbourne Airport Strategy (1990)

76 Clause 21.02 -2 of the Planning Scheme includes an objective:

To reinforce the role of Melbourne Airport as one of Victoria's key economic assets.

77 Strategies to achieve this objective are:

Support land-use and development within the airport precinct that is consistent with its specialist function as a Transport Gateway.

Ensure that land use and development protects the airport's curfew free status and is compatible with the operation of Melbourne Airport in accordance with the Melbourne Airport Master Plan.

78 The PSP area is not affected by the Melbourne Airport Environs Overlay (MAEO) under the Hume Planning Scheme.

79 The Melbourne Airport Environs Safeguarding Advisory Committee (Melbourne Airport SAC) conducted a hearing during February 2021 to consider potential changes to planning provisions relating to the protection of the operations of the Melbourne Airport. I was not involved in the Melbourne Airport SAC.

80 I have reviewed the submissions prepared on behalf of Australian Pacific Airports (Melbourne) Pty Ltd (APAM) to the Melbourne Airport SAC. The Part A Submission points to the expert evidence of Michael Barlow and John Glossop as providing the direction for necessary changes.

81 The recommendations included:

- Defining an area of influence for the Melbourne Airport;

7 Response to Instructions

-
- Updating the Melbourne Airport Environs Strategy Plan 2003 to apply to the area of influence and to address a broader range of airport considerations
 - Prepare a Planning Practice Note for the Melbourne Airport Environs
 - Update and extend the Melbourne Airport Environs Overlay
 - Designate the operator of the Melbourne Airport as a referral authority for applications in the Melbourne Airport area of influence

82 At the time of preparing this report, the Melbourne Airport Environs Safeguarding Standing Advisory Committee Report had not been released.

83 Minter Ellison, by letter dated 9 April 2021, observed the APAM understanding that the Standing Advisory Committee Report is with the Minister for Planning and indicated that:

APAM considers it likely that changes to the planning controls protecting the airport could occur prior to the approval of the PSP for Craigieburn West. At the very least, APAM expects that they will be introduced during the life of the project.

84 Among other matters, the Standing Advisory Committee Report will be informed by the submissions made at the hearing, the expert evidence presented on behalf of parties and the Committee members expertise.

85 It will be directed squarely at examining the initiatives necessary to safeguard the Melbourne Airport Environs in the context of those submissions and its terms of reference. Any recommendations will apply, in an holistic and consistent manner, to the land use planning for an area of influence of the Melbourne Airport.

86 Until such time as the Report is released, however, the extent and nature of any recommendations are unknown.

87 The decision in relation to the Craigieburn West PSP should not pre-empt the findings of the Standing Advisory Committee.

88 The submissions on behalf of the APAM seek amendments to the Precinct Structure Plan and the proposed planning scheme provisions.

89 It seeks amendments to Plan 2 to:

- Identify an area where there is potential to project into protected airspace; and
- Depict the N Contours

7 Response to Instructions

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- 90 It requests the inclusion of additional requirements in relation to:
- Buildings within the protected airspace; and
 - Sound attenuation within the N Contour.
- 91 It also requests the inclusion of guidelines in relation to noise attenuation treatments more generally.
- 92 The submission seeks amendment to Schedule 12 to the Urban Growth Zone to introduce:
- A requirement relating to the construction of a building within the protected airspace; and
 - Sound attenuation requirements for particular sensitive uses within the N Contours.
- 93 The Craigieburn West PSP 1068 amendment proposes the inclusion of a requirement to give notice to the Airport Lease Company in the schedule to Clause 66.06 for:
- An application within the Melbourne Airport N-Contours as depicted in the Approved Melbourne Airport Master Plan under the Airports Act 1996 (Cth).*
- 94 The N-Contours, as depicted in the current Approved Melbourne Airport Master Plan, could be depicted on Plan 2, consistent with the APAM submission, with further explanation to support this notice requirement.
- 95 The PSP area is located within an area where prescribed airspace is protected by regulation, to facilitate the safe arrival and departure of aircraft (p. 271 of the Master Plan). The Prescribed Airspace is the airspace above the Obstacle Limitation Surface (OLS) or the Procedures for Air Navigational Services – Aircraft Operations (PANS -OPS).
- 96 The PSP area is located within the Outer Horizontal Surface of the Melbourne Airport Prescribed Airspace OLS Future Runaway Layout (DWG EN73016). The level of Outer Horizontal Surface is 262.5m. The north-western corner of the PSP area has a natural surface that is above this OLS. This is roughly depicted in the submission on behalf of the Melbourne Airport.
- 97 Consequently, there is a statutory requirement for an approval to be obtained from the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) prior to constructing any building on this part of the land. Development of land in other parts of the PSP area may also require approval depending on the overall building height and whether it projects into the OLS.
- 98 The part of the PSP area located outside the Prescribed Airspace could be depicted on Plan 2 with an explanation of the regulatory

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requirements. There should also be an explanation of the built form parameters and any other matters applicable to the exercise of discretion by the relevant authority in assessing any application to construct a building within Prescribed Airspace. Provided the parameters are clearly expressed, this allows for the PSP to direct a design response to address an existing, known constraint.

- 99 Subject to these modifications, the provisions of the Precinct Structure Plan and amendment documents to manage the relationship with the Melbourne Airport would generally accord with the conclusions of the Panel in Amendment C205 to the Hume Planning Scheme (Lindum Vale PSP to the north). In Amendment C205 the Panel concluded that:

The Amendment should require the referral of applications to Melbourne Airport and include explanatory material relating to the impacts of the Airport.

The inclusion of a requirement for S173 agreements relating to the impacts of the Airport is not supported.

- 100 The Panel in Amendment C205 to the Hume Planning Scheme also observed that:

the Panel notes that the issues raised by Melbourne Airport are likely to affect future PSP areas, and it would be useful if the VPA, relevant Councils and Melbourne Airport discussed how these issues might be consistently addressed and whether the existing airport related planning scheme controls might need to be augmented.

- 101 This suggestion appears to be part of the Melbourne Airport Environs Safeguarding Standing Advisory Committee investigation.

- 102 The further modifications suggested by the APAM are unnecessary and risk pre-empting the findings of this investigation, contributing to an inconsistency in approach.

7 Response to Instructions

7.4 Location of schools

- 103 The proposed schools are appropriately located to serve the future residential population of Craigieburn West.
- 104 Consistent with the HIGAP there is to be:
- a primary school co-located within a community facility south of Craigieburn Road that is to be centrally located to provide walkable access; and
 - a primary school co-located with the Local Town Centre north of Craigieburn Road in a central location that contributes to walkability.
- 105 The secondary school is to be located further north, co-located with a proposed local sport reserve (SR-02). It is within a walkable catchment of the Local Town Centre and proposed primary school. It is also within a walkable catchment of the primary school and Local Town Centre in the Craigieburn R2 PSP.
- 106 There is also an existing primary school in the northern part of the precinct.
- 107 The location and distribution of schools is consistent with the guidance contained in the Precinct Structure Planning Guidelines.
- 108 Each of the primary schools is to be co-located with other community facilities. The primary school to the north of Craigieburn Road is also co-located with the local town centre. This advances Element 4 – Standard 1 of the PSP guidelines.
- 109 The primary schools are each located on the connector road consistent with Element 4 – Standard 2.
- 110 The secondary school is also located on the connector road and is co-located with active open space consistent with Element 5 – Standards 1 & 3.
- 111 The spatial arrangement of the secondary school is consistent with that depicted at Figure 8 - Community facility location and layout of the PSP guidelines and will contribute to the walkability of the precinct.
- 112 Overall, the Precinct Structure Plan provides for the appropriate distribution and siting of schools.

7.5 Location and Distribution of Open Space

- 113 The open space plan depicts a network of conservation areas, waterway reserves, local sports reserves, local parks and green links.
- 114 The local sports reserves are co-located with a secondary school (SR-02) or the conservation area (SR-01) and are positioned to be accessible to the future residents of the PSP area and neighbouring precincts (Lindum Vale to the north and Craigieburn R2 to the east).
- 115 The local parks are evenly distributed throughout the PSP area. There

7 Response to Instructions

is a link provided between LP-03 and LP-04 on 1760 Mickleham Road that appears unnecessary. These parks could readily be linked by streets within the PSP.

- 116 Green links provide connections through the PSP area and will contribute to an attractive open space network. GL-03 on 1760 Mickleham Road is not necessary. The link could be accommodated on the connector street that forms a boundary with the Conservation Area to provide for the more efficient development and use of the land.
- 117 Some of the local parks are to host retained vegetation to support biodiversity values.
- 118 Overall, subject to the minor refinements suggested above, the Precinct Structure Plan provides for the appropriate distribution and siting of open space areas.

8 Conclusion

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- 119 The Craigieburn West PSP area is included within the Urban Growth Boundary and is located within the North Growth Area.
- 120 The Biodiversity Strategy identifies a patch of land with Biodiversity values (BCS29) in the northern part of the PSP boundary. There is support for alterations to the boundaries of BCS29 although this is yet to be approved by the Commonwealth.
- 121 The North Corridor Plan identifies the boundaries of BCS29. The remainder of the land is designated for residential use.
- 122 The HIGAP also promotes the residential use of the land and provides guidance in respect of the preferred outcomes.
- 123 The Amendment and Craigieburn West PSP advance the outcomes sought by the Biodiversity Strategy, North Growth Corridor Plan and the HIGAP and set an appropriate urban structure to guide the future use and development of the precinct.
- 124 The proposed modifications to the BCS29 boundaries, that are supported by the agencies, should inform modifications to the PSP, zone boundaries, ESO boundaries and IPO boundaries.
- 125 As with the recommendations of the Panel in Amendment C205, the PSP should include explanatory material relating to the impact of the airport.



MARCO C NEGRI
DIRECTOR
CONTOUR CONSULTANTS AUST PTY LTD

Attachment 1

Expert Witness Declaration

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Attachment 1 - Expert Witness Declaration

Name and Address	Marco Cristoforo Negri is a Director of Contour Consultants Australia Pty Ltd, Town Planners and Practices from Level 1, 283 Drummond Street, Carlton, in Victoria.
Professional Qualifications	Bachelor of Applied Science (Planning) Graduate Diploma of Planning & Design Member of the Planning Institute of Australia
Professional Experience	1986-1995: Town Planner in Local Government 1995-2002: Senior Town Planning Management in Local Government 2002-Present: Town Planning Consultant
Areas of Expertise	Strategic and Statutory Planning. Planning assessment of land use and development applications including major retail, residential and commercial developments. Expert advice to local government on a variety of statutory and strategic planning projects including policy development in relation to housing, retail, environmental and heritage issues. Advice to commercial clients covering the management of urban development.
Expertise to Prepare this Report	Professional training and experience in town planning and specialist experience in both residential and commercial development.
Instructions which Defined the Scope of this Report	I received instructions from King & Wood Mallesons on behalf of submitter No. 16 to review the Craigieburn West PSP 1068 and amendment documents and to prepare a report setting out my opinion as to whether they are appropriate.
Facts, Matters and Assumptions Relied Upon	Refer to Section 1 of my report.
Documents Taken Into Account	Refer documents described the Statement.
Identity of Persons Undertaking the Work	I prepared this report.
Relationship with Applicant	I have no private or business relationship with the proponent, other than being engaged to prepare this report.
Summary of Opinion	Refer to Report.
	<p>In giving my evidence, I confirm I:</p> <ul style="list-style-type: none"> • will be alone in the room from which I am giving evidence and will not make or receive any communication with another person while giving my evidence except with the express leave of the Panel; • I will inform the Panel immediately should another person enter the room from which I am giving evidence; • during breaks in evidence, when under cross-examination, I will not discuss my evidence with any other person, except with the leave of the Panel; and

Attachment 1 - Expert Witness Declaration

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- I will not have before me any document, other than my expert witness statement and documents referred to therein, or any other document which the Panel expressly permits me to view.
-

I have made all the inquiries 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 SAC.



MARCO C NEGRI
DIRECTOR
CONTOUR CONSULTANTS AUST PTY LTD

