

Government Land Standing Advisory Committee

Tranche 36 Report

Part of 115 Trawalla Avenue, Thomastown

15 July 2022

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List of Abbreviations

Committee	Government Land Standing Advisory Committee
Council	Whittlesea City Council
DCPO3	Schedule 3 to Clause 45.06 Development Contributions Plan Overlay (Drainage Infrastructure Development Contributions Plan)
DDO	Design and Development Overlay
DELWP	Department of Environment, Land, Water and Planning
ESO3	Schedule 3 to Clause 42.01 Environmental Significance Overlay (Merri Creek and Environs)
IN1Z	Clause 33.01 Industrial 1 Zone
MCMC	Merri Creek Management Committee
Planning Scheme	Whittlesea Planning Scheme
SSIP	State Significant Industrial Precinct
Trawalla	AB Trawalla Holdings Pty Ltd and JB Trawalla Holdings Pty Ltd

About this report

On 20 December 2021, the Minister for Planning referred 115 Trawalla Avenue, Thomastown to the Government Land Standing Advisory Committee as Tranche 36.

This is the report under Section 151 of the *Planning and Environment Act 1987* of the Government Land Standing Advisory Committee for part of 115 Trawalla Avenue, Thomastown.



Alison McFarlane, Chair



Rachael O'Neill, Member

15 July 2022

1 Summary and recommendation

1.1 The subject site

The subject site is part of the land located at 115 Trawalla Avenue, Thomastown (see Figure 1). It adjoins land at 67 Trawalla Avenue which is owned by AB Trawalla Holdings Pty Ltd and JB Trawalla Holdings Pty Ltd (Trawalla). Trawalla are part of the Bertocchi Food Group (Bertocchi).

The subject site has an area of 0.419 hectares and owned by Melbourne Water. It is used and developed for industrial purposes by Bertocchi as part of its manufacturing operations. The hardstand including car parking and building that occupy the subject site were authorised retrospectively by planning permits issued in 2016 and 2017.

Figure 1: Subject site



Source: Document 13 adapted by PPV

1.2 Proposal and referral

The land was determined to be surplus to the Victorian Government’s current and future requirements in 2016. Melbourne Water requested the Minister for Planning change the planning provisions to reflect that the site is no longer required for public use and to help facilitate its sale.

The Minister for Planning requested that the Government Land Standing Advisory Committee (the Committee) provide independent advice on the suitability of proposed Whittlesea Planning Scheme Amendment C257wsea (the Amendment). The Amendment proposes to rezone the site from Public Use Zone 1 (Service and Utility) to Industrial 1 Zone (IN1Z) and add Development Contributions Plan Overlay Schedule 3 (Drainage Infrastructure Development Contributions Plan)

(DCPO3). The Environmental Significance Overlay Schedule 3 (Merri Creek and Environs) (ESO3) and Land Subject to Inundation Overlay will be retained.

1.3 Issues raised in submissions

The Committee considered all written submissions, submissions presented to it during the Hearing and observations from an inspection of the site and surrounds.

Issues raised in submissions related to:

- the appropriate future zone for the land
- consistency of the proposal with *Merri Creek Marran Baba Parklands Strategic Management Plan, 2013*
- whether the site should be included in the Merri Creek Regional Parklands
- whether there is a need to provide a public buffer zone to the Merri Creek
- whether a Design and Development Overlay (DDO) is needed to protect the buffer zone to the creek
- whether there is a need to maintain and link a habitat and biodiversity corridor along the Merri Creek
- whether the Environmental Significance Overlay is sufficient to ensure the open space, biodiversity and waterway corridor values of the site will be restored or protected
- whether proposed landscaping is a benefit of the Amendment.

Three submissions were received in support of the Amendment from Trawalla, Hume City Council and Victorian Trailers Pty Ltd.

1.4 Committee conclusion

The Committee received a submission from the Suburban Park Program in Department of Environment, Land, Water and Planning (DELWP) advising the current zoning of the land is consistent with the intended future use and management of the land. The Committee's conclusions are made in anticipation that the land is to be sold. The Committee cannot consider whether it was appropriate to declare the land surplus.

The site owner proposes to rezone the subject land from Public Use Zone 1 (Service and Utility) to IN1Z. The Committee agrees that this is an appropriate zone if the land is to be sold.

The site owner proposes to apply DCPO3 to the land. The Committee agrees that this is an appropriate overlay if the land is to be sold.

The site owner proposes to retain ESO3 and the Land Subject to Inundation Overlay over the land as they currently apply. The Committee agrees these overlays should be retained if the land is to be sold.

The Committee concludes that the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the *Ministerial Direction on The Form and Content of Planning Schemes*.

Table 1: Existing and proposed controls

Current planning scheme controls	Exhibited planning scheme	Advisory Committee recommendation
Public Use Zone 1 (Service and Utility)	Industrial 1 Zone	Industrial 1 Zone
Environmental Significant Overlay Schedule 3 (Merri Creek and Environs)	Retain	Retain
Land Subject to Inundation Overlay	Retain	Retain
Not applicable	Development Contributions Plan Overlay Schedule 3 (Drainage Infrastructure Development Contributions Plan)	Apply

1.5 Recommendations

The Committee recommends that a planning scheme amendment be prepared and approved for Part of 115 Trawalla Avenue, Thomastown to:

- 1. Rezone the site to apply the Industrial 1 Zone.**
- 2. Retain the Land Subject to Inundation Overlay and Environmental Significance Overlay, Schedule 3.**
- 3. Apply the Development Contributions Plan Overlay Schedule 3 with requirements for the payment of drainage levies.**

2 Process issues for this site

2.1 Process summary

The following tables set out the details of the process for this matter.

Table 2: Proposal summary

Proposal summary	
Tranche	36
Site address	Part of 115 Trawalla Avenue, Thomastown
Previous use	Drainage and Sewerage Reserve
Site owner	Melbourne Water
Council	Whittlesea City Council
Exhibition	15 March to 27 April 2022
Submissions	Six

Table 3: Exhibited planning scheme changes

Existing controls	Exhibited changes
Public Use Zone 1 (Service and Utility)	Industrial 1 Zone
Environmental Significant Overlay Schedule 3	No change
Land Subject to Inundation Overlay	No change
Not applicable	Development Contributions Plan Overlay Schedule 3

Table 4: Committee process

Committee process	
Members	Alison McFarlane (Chair), Rachael O'Neill
Information session	5 April 2022
Hearing	16 June 2022
Site inspections	7 June 2022
Appearances	<p>Melbourne Water represented by Matthew Beazley of Russell Kennedy Lawyers, who called town planning evidence of John Glossop of Glossop Town Planning</p> <p>Trawalla Holdings represented by John Cicero of Best Hooper Lawyers</p> <p>Merri Creek Management Committee represented by Dr Stephen Rowley</p> <p>Victorian Trailers represented by Nick Xerakias of GRACosway</p>
Date of this Report	15 July 2022

2.2 Process issues

(i) Site owner and boundary

The Surplus Victorian Government Land Fact Sheet dated March 2022 and exhibited with the Amendment identified the site owner as DELWP. The Government Land Planning Service within DELWP confirmed that the correct site owner is Melbourne Water.

Prior to the Hearing, Melbourne Water advised all parties that the aerial photograph in the exhibited Explanatory Report showed a larger area than the actual area proposed to be rezoned to IN1Z. A corrected map was circulated to all parties.¹

Melbourne Water confirmed that the exhibited zone map (Whittlesea C257wsea znMap20) was correct and remains unchanged.

(ii) Material requested by the Committee

The Committee wrote to Whittlesea City Council (Council) requesting that it provide the following information:

- an overview of the planning history of the site
- copies of existing planning permits that relate to use/and or development of the site
- clarification on the status of landscaping plan/landscaping works referred to in the draft Explanatory Report
- Council's view on how the draft Amendment responds to planning policy for open space, environment (including waterways), and industry.

Council responded to the request in part, providing extracts of Council minutes and copies of planning permits granted for use and development of the site.²

The Committee also wrote to DELWP Suburban Parks Program requesting that it confirm:

- DELWP's views on the strategic intent for the land with regard to Clauses 19.02-6S, 19.02-6R and 19.02-6L of the Whittlesea Planning Scheme (Planning Scheme)
- actions underway by DELWP to deliver on the strategic intent (including the scope and progress of *marran baba – Merri Creek Regional Parklands Future Directions Plan*).

DELWP's advice is discussed in Chapter 2.2 (iii).

(iii) Committee purpose and Hearing process

The purpose of the Committee is to:

advise the Minister for Planning on the suitability of new changes to planning provisions for land owned, proposed to be acquired or to land required to facilitate the delivery of priority projects by the Victorian Government, and provide a timely, transparent and consultative process to facilitate proposed changes to land owned or proposed to be acquired; or to support delivery of priority projects by the Victorian Government.³

The Committee can only consider the application of a public land zone if requested by:

- a) the Minister for Planning in a referral, or
- b) a Victorian Government department or agency where a public land zone is needed for identified current or future service delivery purpose.⁴

¹ Document 6

² Documents 9, 10, 11, 12 and 13

³ Section 5, GLSAC Terms of Reference Version 4, May 2020

⁴ Section 18, GLSAC Terms of Reference Version 4, May 2020

The Suburban Parks Program of DELWP advised in its written submission to the Committee that the Victorian Government is investing \$315 million to deliver the Suburban Parks Program to provide green open spaces for local communities, strengthen cultural heritage and protect biodiversity and waterways. The Plan is currently being drafted and will set the vision, principles and directions for progressive parkland expansion, establishment and management. It noted that the subject site falls within the parkland boundary. It submitted that the current zoning of the land is consistent with the future use and management of the land as parkland and that it was unclear as to where additional, replacement parkland would be provided as a result of the rezoning.

It submitted that the rezoning of the subject site would be inconsistent with the outcomes of the *Merri Creek Marran Baba Parklands Strategic Management Plan, May 2013* and the *marran baba – Merri Creek Regional Parklands Future Directions Plan*. This contrasts with the approval granted by the Government Land Monitor to sell the land directly to adjoining property owners.

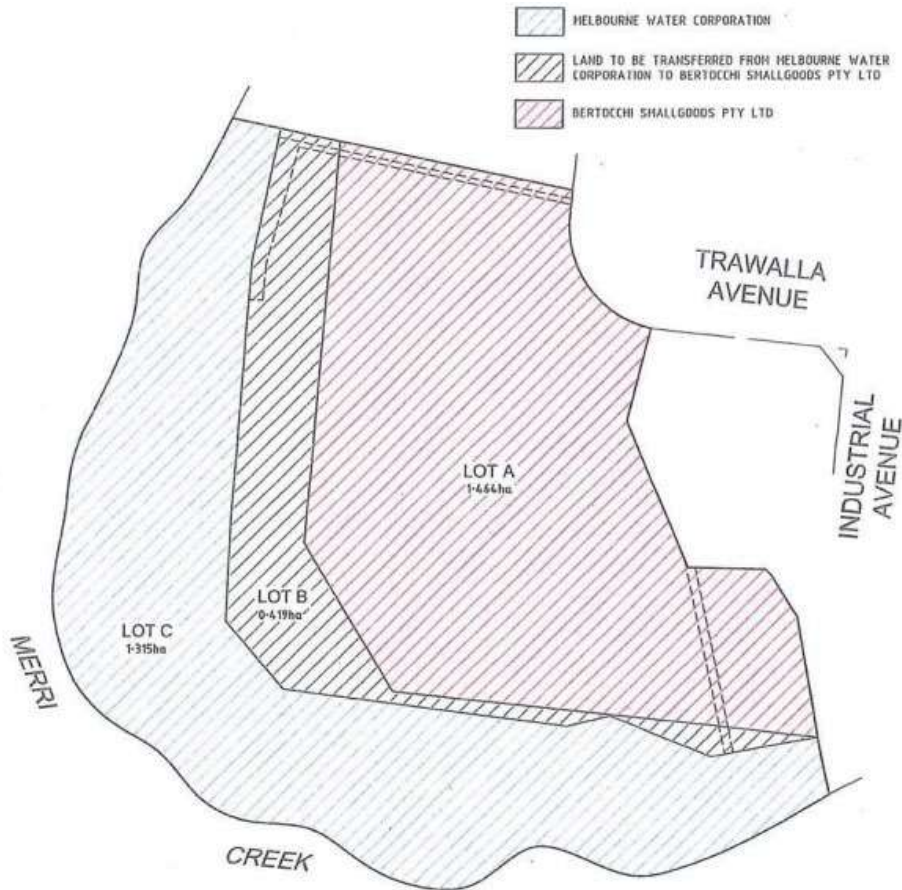
Whether the land should be retained for future inclusion in the Merri Creek Regional Parklands is a matter for the Victorian Government and has not been considered by the Committee. The Committee's conclusions and recommendations anticipate the land is to be sold. The Committee comments that the absence of a whole of Government position on the strategic intent for the land was confusing and frustrating for community groups participating in the Hearing.

3 Site constraints and opportunities

(i) **Site and surrounds**

The site is located on the western edge of an established industrial area. The site is an irregular shaped allotment with an area of 0.419 hectares (Lot B on Figure 2). It is currently developed with buildings and a car park associated with Bertocchi at 67 Trawalla Avenue, which adjoins the site to the north and east (Lot A on Figure 2). Access to the site is via 67 Trawalla Avenue.

Figure 2: Site area



The balance of 115 Trawalla Avenue, Thomastown is located immediately west of the site (Lot C on Figure 2). This site has a steep topography towards the Merri Creek. It is grassed with some scattered trees located on the creek edge. There is no formalised public access to the site along the Merri Creek.

Land to the further west (on the opposite side of Merri Creek) is zoned IN1Z and used for a motocross park. Land to the south west (also on the opposite side of Merri Creek) is zoned Commercial 2 Zone and is currently undeveloped. Land to the south east is in the Public Park and Recreation Zone.

Figures 3 and 4 show the current and proposed zonings of the site.

Figure 3: Current zoning



Figure 4: Proposed zoning



3.2 History of the site

The history of the site provided by Melbourne Water is summarised in Table 5.

Table 5 History of the site

Date	Event
May 2004	Melbourne Water had a licence with Francavilla Pty Ltd (previous owners of 67 Trawalla Avenue) for use of part the land at 115 Trawalla Avenue
August 2013	Francavilla was placed into receivership. The appointed receivers advised Melbourne Water that the buildings and various discarded items that encroached upon the licensed area would not be removed.
2014	Bertocchi purchased 67 Trawalla Avenue. At the time of purchase, there were existing buildings, structure and hardstand encroachments partially located on 115 Trawalla Avenue. Melbourne Water created a new licence for part of 115 Trawalla Avenue for the new owner.
2014	Bertocchi constructed part of a carpark and warehouse on part of Melbourne Water’s land without appropriate authority, permissions, and approvals, creating further encroachments on 115 Trawalla Avenue. Bertocchi commenced discussions with Melbourne Water to acquire the licensed area. Melbourne Water sought approval from the Victorian Government Land Monitor to offer the site for sale to Bertocchi.
October 2014	The Minister for Planning established and approved exceptional circumstances in relation to the proposed sale transaction. Melbourne Water was exempted from the requirement to sell the land by public process.
July 2016	Melbourne Water declared the land as surplus.

Date	Event
July 2016	Council issued Planning Permit 715136 to allow use and development of 67 Trawalla Avenue for a warehouse. Council endorsed plans to form part of the permit in July 2017, including a landscaping plan for the east and part of the south boundaries of the site.
May 2017	Melbourne Water and Bertocchi entered a contract for sale of the land. Settlement is conditional upon Melbourne Water rezoning the land from Public Use Zone 1 to IN1Z.
September 2017	Council issued Planning Permit 716414 allowing use and development of land at 67 and 115 Trawalla Avenue for a carpark associated with an existing industrial premises.
July 2019	Council issued Planning Permit 716537 to remove the reserve status and drainage and sewerage easements from part of 115 Trawalla Avenue, following a review by the Victorian Civil and Administrative Tribunal. In September 2020, Council approved an extension of time for the permit until 20 July 2022.
December 2021	The Government Land Planning Service advised the rezoning request was being referred to the Committee.

4 The proposed changes

4.1 What zone is suitable

Evidence and submissions

Melbourne Water submitted that the application of the IN1Z to the subject site is the most appropriate zone. It noted that it will correct a historical encroachment of hardstand and structures constructed on the subject site by Bertocchi and previous owners. It submitted that there is no change in land use or occupation and that the land is being used for industrial purposes.

It relied on the evidence of Mr Glossop. Mr Glossop observed that it would reflect the *“as-built conditions that appear on the ground”* that have been authorised by planning permits and would be consistent with the adjoining and surrounding zoning of land. Mr Glossop identified that Bertocchi is a *“significant contributor to the Victorian economy”* and the rezoning will provide it certainty and the ability to meet its operating needs.

Mr Glossop said the subject site is a small area of land and the applicability of planning policy needs to be contextualised. He observed that rarely is it the case where all policy objectives will be met. Whilst waterway policies are an important part of the policy matrix, there are also policies relating to industrial land that are relevant and meaningful to the Committee’s consideration. In this context, he observed the proposed rezoning would result in a *“minor reduction”* of the 30 metre buffer referenced in Clause 14.02-2S of the Planning Scheme but that there is always a need to apply policy judiciously, having regard to the conditions of the site and the context.

Mr Glossop advised that Plan Melbourne locates the subject site next to a state significant industrial precinct (SSIP), which is recognised as a focus for investment and growth. It was his opinion the rezoning would result in a small contribution of land to the Northern SSIP, which is consistent with strategic directions and would have *“significant employment and investment benefits.”* Mr Glossop noted the subject site is also identified as ‘industrial/employment land’ on the Municipal Strategic Framework Plan at Clause 02.04 of the Planning Scheme. Having identified the industrial designations that apply to the subject site, Mr Glossop concluded that the rezoning will *“deliver a net community benefit by facilitating industrial services in an area identified for such land uses of State significance and supporting the local economy”* and that the rezoning is consistent with the Planning Policy Framework of the Planning Scheme.

In support of the rezoning Trawalla agreed with Mr Glossop’s evidence and conclusions.

Merri Creek Management Committee (MCMC) submitted that most of the Merri Creek Parkland corridor through Thomastown and Campbellfield is zoned either Public Park and Recreation Zone, Public Use Zone or Urban Floodway Zone. Whilst there are a small number of *“legacy sites”* where the industrial zone extends to the creek bank, this is not a reason to rezone a new area for industrial use. It submitted that limited weight should be given to industrial planning policy because it was not intended to apply to creek corridors. It submitted that more substantial weight should be given to environmental planning policy, which recognises the status of the subject site, and that no *“reasonable reading”* of industrial policy would require extension of the existing industrial zone into the creek buffer.

MCMC submitted that the *“critical”* policies were the environmental policies, including Clauses 12.05-1S, 14.02-1S and 19.02R, and none of these were referenced in the Explanatory Report. It

submitted that there was no reason to depart from the “*minimum 30 metre buffer*” that is intended to be preserved along the waterways.

MCMC referred to the DELWP Suburban Parks Program advice and submitted that the “*internal consideration of different branches of government has not given sufficient weight to the future of the parkland*” and concluded that “*it is simply incorrect to argue that the Committee’s consideration of the appropriate development controls for this land should not be informed by this background.*” It submitted that it is open to the Committee to consider the appropriate zone for the land and not just the Industrial 1 Zone.

As a nearby landowner, Victorian Trailers supported the proposed rezoning to allow the “*productive use of land*”.

In closing Melbourne Water submitted that it is not unusual for government departments to approach issues from different perspectives and that the Committee should not afford considerable weight to the submissions because the Government has deemed the land surplus.

The Committee requested that Melbourne Water provide a marked-up plan depicting a 30 metre line relative to the site boundary (see Figure 5).

Figure 5: 30 metre offset diagram



Source: Document 22

Discussion

The Committee agrees with Mr Glossop, that as with all planning matters, it is a matter of balancing sometimes competing policy objectives to determine what an appropriate outcome or decision is. All parties agreed on the planning policies of relevance, but the weight each should be afforded was in dispute.

In the Committee's view, it is entirely relevant to its consideration that Melbourne Water, which amongst its other roles, manages the rivers, creeks and major drainage systems in the Melbourne, Port Phillip and Westernport regions, has not only determined that the land is surplus to its requirements but is supportive of the proposed rezoning. It highlights this because while MCMC submitted that the 30 metre buffer was paramount in being maintained, the relevant management authority did not agree. The Committee has given this significant weight.

The Committee notes that the 30 metre buffer is a strategy and not a mandatory requirement, and in any event, it will be maintained between most of the site and the creek. The Committee is satisfied this arrangement meets the objectives in the Planning Scheme for the protection and restoration of waterways.

As noted in Chapter 2.2 of this Report, it is not within the Committee's Terms of Reference to consider whether it was appropriate to declare the land surplus. Notwithstanding, there is nothing in the Planning Scheme that directly identifies the subject site as parkland.

In terms of industrial policy, in the Committee's view, it is relevant to consider the location of the subject site, its designation of 'industrial/employment land', its abuttal to a SSIP, its existing use and the use and zoning of adjoining land. The site is currently used and developed as part of the Bertocchi operations. While Council granted the planning permits for development retrospectively, it nevertheless accepted the built form outcomes were acceptable. It is not the role of this Committee to question whether these decisions were appropriate, but it is significant to informing the appropriate zone for the subject site.

Planning policy supports the role of industry and strengthening the industrial precinct. The planning policy does not identify that additional land is required in this locality, however strongly supports retaining what is already used and developed for such a purpose.

The adjoining land is included in the IN1Z, including land to the east and west, and land to the west is also included in the Commercial 2 Zone. The Committee accepts that based on the current zoning pattern and land use that the appropriate zone to apply to the subject site is the IN1Z. The purpose of the zone allows for the ongoing operation of the existing use, that is consistent with the policy framework.

On the basis of the above observations, the Committee is satisfied that the balancing of policy objectives will be achieved in the rezoning of the land. That is to say, the Committee has not given the industrial policies greater weight but it is satisfied the ESO3 applied in conjunction with the planning policies and relevant provisions of the planning scheme will preserve and implement environmental objectives.

The Committee makes these observations and forms its view having regard to the relevant considerations of choosing and applying a provision as set out in a *Practitioners Guide to Victorian Planning Schemes*.

Recommendation

The Committee recommends that a planning scheme amendment be prepared and approved to:

- 1. Rezone the site to apply the Industrial 1 Zone.**

4.2 What overlays are appropriate

(i) Land Subject to Inundation Overlay and Development Contributions Plan Overlay

No parties opposed the retention of the Land Subject to Inundation Overlay or the application of the DCPO3.

(ii) Environmental Significance Overlay

Evidence and submissions

It was Mr Glossop's opinion that together with the relevant Particular Provisions (Clause 50) and General Provisions (Clause 60) of the Planning Scheme, there is sufficient protection for the site's environmental features to guide any future development.

Mr Glossop described the location of the site as an "*urbanised corridor*" where a mix of natural and man-made environments are visible to users of public pathways. In cross examination Mr Glossop agreed that the application of ESO3 was broad, but he observed that it applied to urban areas, including in residential areas.

The MCMC submitted that the overlay is insufficient to ensure the environmental values of the subject site will be restored or protected from "*further degradation*". It submitted the fact that it applies to an area where the Council has previously authorised building works within 30 metres of the creek reinforces the position that the control is not "*effectively preventing inappropriate development*".

There was much discussion during the Hearing about the approved and proposed landscaping within the subject site and whether this was a benefit of the Amendment. The Committee was referred to a landscape plan approved as part of Planning Permit 715136 which provides modest landscaping east of the warehouse that had not been undertaken. Late in the Hearing, Melbourne Water and Trawalla clarified that the proposed landscaping set out in the John Patrick Landscape Plan (Document 22) was in the contract of sale and it was therefore deemed by them to be a 'benefit' of the Amendment.

Discussion

The Committee has reviewed ESO3 and notes its objectives, permit requirements and decision guidelines. It notes that amongst the decision guidelines, a responsible authority is required to consider the effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the creek and the need for landscaping or vegetation screening.

The Committee understands the MCMC's concerns regarding the potential for future development or intensification of the built form on the subject site and the desire to minimise any potential impacts on the creek environs. However, the Committee does not share MCMC's view that the visual impact of the existing buildings is dominant or visually intrusive from the existing (or future) public realm. The Committee is satisfied that the ESO3 is achieving acceptable outcomes in relation to landscape character.

Whilst the Amendment will not in itself give effect to the John Patrick Landscape Plan, the sale of the land will. The Committee agrees the proposed landscaping together with regular maintenance will improve overall environmental condition of the land. Over time, trees planted will filter views of the existing buildings and car parking as anticipated by ESO3.

(iii) Design and Development Overlay

Evidence and submissions

Melbourne Water submitted that there was no need to apply additional controls beyond what is proposed.

As a solution to MCMC's criticism of the effectiveness of ESO3, it submitted that a DDO could be applied to the subject site. It submitted that such a control should "*prevent further development upon the land (and certainly within the 30 metre buffer) except where it is considered to restore the land to its original waterway function or improve the landscape presentation of the site*".

MCMC submitted that it was within the Committee's Terms of Reference to make such recommendations and that this approach was adopted in Tranche 2 (31 Radford Road, Reservoir).

Mr Glossop observed that it would be unusual to apply a DDO to a small strip of land without a detailed strategic analysis and justification. In response to submissions that an overlay include mandatory controls, he referred to *Planning Practice Note 59 The role of mandatory provisions in planning schemes, June 2015* and noted, in his opinion, that there was no strategic basis for mandatory controls to regulate built form outcomes on the land.

Discussion

The Committee is satisfied that the ESO3 is sufficient to assess the effect of future development on the environmental values of the creek, including its landscape character. There is presently no strategic planning work that suggests that the ESO3 needs to be supplemented by a DDO to provide additional design and development requirements.

The Committee considers if a DDO was warranted, its application would not typically be applied on a site-specific basis. The Committee agrees with Mr Glossop that the imposition of mandatory controls requires strategic assessment and careful consideration, and this has not occurred in this situation.

The Committee has reviewed the Tranche 2 report relating to 31 Radford Road, Reservoir and is of the view that entirely different considerations, site conditions and planning scheme provisions applied in that instance. While the Committee agrees with MCMC that it would be open to it to recommend an appropriate control to manage siting and design of future development, the Committee does not consider this warranted in this matter.

Recommendations

The Committee recommends that a planning scheme amendment be prepared and approved to:

- 2. Retain the Land Subject to Inundation Overlay and Environmental Significance Overlay, Schedule 3.**
- 3. Apply the Development Contributions Plan Overlay Schedule 3 with requirements for the payment of drainage levies.**

Appendix A: About the Government Land Standing Advisory Committee

The Government Land Planning Service is a 2015 initiative to deliver changes to planning provisions or correct planning scheme anomalies for land owned by the Victorian Government. The Government Land Standing Advisory Committee (the Committee) was initially appointed under Part 7, section 151 of the *Planning and Environment Act 1987* in July 2015.

A revised Terms of Reference for the Committee was approved in June 2020.

The Committee currently consists of:

- Lead Chair: Lester Townsend
- Chairs: Tim Hellsten, Lisa Kendal, Alison McFarlane
- Deputy Chairs: Michael Ballock, Elissa Bell, Mandy Elliott, Annabel Paul
- Members: Brodie Blades, Debra Butcher, Geoffrey Carruthers, Sally Conway, Shannon Davies, Noelene Duff, Peter Edwards, Meredith Gibbs, Jonathan Halaliku, John Hartigan, Elizabeth McIntosh, Michael Malouf, Rachael O’Neill, Kate Partenio, Cazz Redding, John Roney, Lynn Sweeney, Adam Terrill and Jessica Tulloch.

The Committee is assisted by Chris Brennan, Project Officer in Planning Panels Victoria.

The Committee’s Terms of Reference state that the purpose of the Advisory Committee is to:

- a. advise the Minister for Planning on the suitability of new changes to planning provisions for land owned, proposed to be acquired or to land required to facilitate the delivery of priority projects by the Victorian Government, and
- b. provide a timely, transparent and consultative process to facilitate proposed changes to land owned or proposed to be acquired; or to support delivery of priority projects by the Victorian Government.

The Advisory Committee must produce a written report for the Minister for Planning providing:

- a. an assessment of the appropriateness of any changes of planning provisions in the context of the relevant planning scheme and State and Local Planning Policy Frameworks,
- b. consideration of whether the proposed planning provisions make proper use of the Victoria Planning Provisions and are prepared and presented in accordance with the Ministerial Direction on The Form and Content of Planning Schemes,
- c. an assessment of whether planning scheme amendments could be prepared and adopted for each proposal, including the recommended planning provisions,
- d. an assessment of submissions to the Advisory Committee,
- e. any other relevant matters raised during the hearing(s),
- f. a list of persons who made submissions considered by the Advisory Committee,
- g. a list of persons consulted or heard,
- h. endorsement by the Chair or the Deputy Chair.

Appendix B: List of submitters

No.	Submitter
1	AB Trawalla Holdings Pty Ltd and JB Trawalla Holdings Pty Ltd
2	Department of Environment, Land, Water and Planning (Suburban Parks Program)
3	Friends of Merri Creek Incorporated
4	Merri Creek Management Committee Incorporated
5	Hume City Council
6	Victorian Trailers Pty Ltd

Appendix C: Document list

No.	Date	Description	Provided by
1	17/5/2022	Advisory Committee Directions and Hearing Timetable	Planning Panels Victoria (PPV)
2	“	Letter to Whittlesea City Council seeking further information	“
3	“	Letter to Department of Environment, Land, Water and Planning (DELWP) Suburban Parks Program, seeking further information	“
4	1/6/2022	Department of Environment, Land, Water and Planning Suburban Parks Program Letter of Advice	DELWP
5	3/6/2022	Site inspection itinerary	Melbourne Water (MW)
6	6/6/2022	Aerial Boundary Plan	“
7	“	Parcel Diagram Plan	“
8	“	Proposed Plan of Subdivision PS735195H	“
9	8/6/2022	Planning Permit 715136	Whittlesea City Council
10	“	Planning Permit 716414	“
11	“	Planning Permit 20180720	“
12	“	Extract Council Agenda 11 April 2022	“
13	“	Extract Council Minutes 11 April 2022	“
14	9/6/2022	Submissions on behalf of Melbourne Water	MW
15	“	Town Planning Evidence Statement John Glossop	“
16	15/6/2022	Submissions on behalf of AB Trawalla Holdings Pty Ltd and JB Trawalla Holdings Pty Ltd	Trawalla Holdings Pty Ltd (Trawalla)
17	“	Submissions of behalf of Merri Creek Management Committee	Merri Creek Management Committee (MCMC)
18	16/6/2022	Planning Permit No 715136 Endorsed Plans	Trawalla
19	“	Weed Removal Plan Merri Creek Interface	MCMC
20	17/6/2022	67 and 115 Trawalla Avenue, Thomastown Carparking Layout Plan	MW
21	“	115 Trawalla Avenue, Thomastown VicPlan Planning Property Report	“
22	“	Landscape Buffer Masterplan August 2016	“
23	“	Boundary Distance Aerial Image	“

No.	Date	Description	Provided by
24	“	Trawalla Avenue Boundary Plan 30 metre Offset	“
25	“	Friends of Merri Creek Incorporated v Whittlesea CC [2018] VCAT 1117	“
