

**Victorian Planning Authority Projects Standing Advisory
Committee – Referral No. 4
Craigieburn West Precinct Structure Plan**

Advisory Committee Report

Planning and Environment Act 1987

17 June 2021

Planning and Environment Act 1987

Advisory Committee Report pursuant to section 151

Victorian Planning Authority Projects Standing Advisory Committee – Referral No. 4

Craigieburn West Precinct Structure Plan

17 June 2021

Members who considered this referral:



Sarah Carlisle, Chair



Michael Ballock, Member



Deanne Smith, Member

Contents

	Page
1 Introduction.....	7
1.1 Terms of Reference and referral	7
1.2 Background.....	8
1.3 VPA Part A and Part C changes.....	14
1.4 Issues	14
1.5 Procedural issues.....	15
1.6 Content of report	17
1.7 Limitations	18
2 Planning context	19
2.1 Planning framework	19
2.2 Discussion and findings	21
3 Traffic and transport issues	23
3.1 What is proposed?	23
3.2 Transport modelling	25
3.3 Mickleham Road	27
3.4 Left-in left-out intersections	31
3.5 North south connector	33
3.6 East west connector through Parcels 6 and 7	35
3.7 Intersection capacity	37
3.8 Elevation Boulevard and intersection IN-05	38
3.9 Internal intersection treatments.....	40
3.10 Road network in the southern portion of the PSP	41
3.11 Other transport issues.....	42
4 Drainage and waterway issues	46
4.1 What is proposed?	46
4.2 Overarching issues.....	49
4.3 Headwater streams	52
4.4 Aitken Creek	54
4.5 North east tributary.....	56
4.6 Gap Catchment.....	57
5 Walkable catchment and density.....	59
5.1 What is proposed?	59
5.2 Relevant policies, guidelines and studies.....	59
5.3 Walkable catchment boundaries	60
5.4 Dwelling densities.....	63
6 Trees and open space.....	67
6.1 What is proposed?	67
6.2 Tree retention	70
6.3 Active open space.....	73
6.4 Local parks	75
6.5 Green links.....	77
7 Infrastructure issues	81
7.1 Secondary school location.....	81
7.2 Primary school location	84

7.3	Funding the Marathon Boulevard extension	86
7.4	Funding the culvert under Mickleham Road	87
7.5	Apportionment of active open space and community facilities	88
7.6	Equity issues	89
8	Other issues	92
8.1	Airport issues	92
8.2	Mickleham Road interface	96
8.3	Boundaries of Conservation Area 29	97
8.4	Kangaroos	100
8.5	Local Town Centre	103
8.6	Community uses on the Universal Syrian Orthodox Church site	105
8.7	Non-residential uses on the SVR2 site	107
8.8	Bushfire issues	109
8.9	Removal of dams	116
9	Summary of reasons and recommendations	118
9.1	Reasons	118
9.2	Recommendations	127

Appendix A VPA Projects Standing Advisory Committee Terms of Reference

Appendix B Referral letter

Appendix C Submitters and Parties

C1 Submissions to targeted consultation

C2 Parties to the Panel Hearing

Appendix D Background reports

Appendix E Document list

List of Tables

	Page
Table 1	PSP Objectives 10
Table 2	Summary of issues in dispute 14
Table 3	How report addresses the Terms of Reference 17
Table 4	Summary of findings and reasons in support of the VPA's position on disputed issues 118
Table 5	Summary of recommended changes and reasons 125

List of Figures

	Page
Figure 1	Craigieburn West PSP area 8
Figure 2	Land Use Budget..... 9
Figure 3	Exhibited Place Based Plan 12
Figure 4	Craigieburn West in context of the North Growth Corridor Plan 20
Figure 5	Transport Plan 23
Figure 6	Council alternative Transport Plan 24
Figure 7	Drainage Services Scheme boundaries 47
Figure 8	Integrated Water Management Plan 48
Figure 9	Walkable catchment..... 59
Figure 10	Fetterplace alternative walkable catchment 61
Figure 11	Open space plan 68
Figure 12	Biodiversity and vegetation plan..... 69
Figure 13	Proposed location of the government secondary school 81
Figure 14	Proposed relocation of the secondary school by IRD - Option A..... 81
Figure 15	Proposed northern primary school location 84
Figure 16	Area impacted by prescribed airspace..... 92
Figure 17	Stockland alternative place based plan based on Conservation Area boundary realignment 98
Figure 18	Bushfire Plan..... 110
Figure 19	Setbacks required for different bushfire hazard areas 111

Glossary and abbreviations

APAM	Australia Pacific Airports (Melbourne)
BAL	Bushfire Attack Level
the Committee	VPA Projects Standing Advisory Committee
Council	Hume City Council
DELWP	Department of Environment, Land, Water and Planning
DET	Department of Education and Training
DoT	Department of Transport
DSS	Drainage Services Scheme
ESO10	Environmental Significance Overlay Schedule 10
G[number]	Guideline [number] in the PSP
GRZ	General Residential Zone
ICP	Infrastructure Contributions Plan
IN-[number]	intersection [number]
IPO6	Incorporated Plan Overlay Schedule 6
KMP	Kangaroo Management Plan
KMS	Kangaroo Management Strategy
LILO	Left in left out
LTC	Local Town Centre
MAESSAC	Melbourne Airport Environs Safeguarding Standing Advisory Committee
NDHa	Net Developable Hectare
O[number]	Objective [number] in the PSP (Part A version)
PAO	Public Acquisition Overlay
PE Act	Planning and Environment Act 1987
PIP	Precinct Infrastructure Plan
PSP	Precinct Structure Plan
PSP Guidelines	<i>Precinct Structure Plan Guidelines</i> , Growth Areas Authority, 2009
R[number]	Requirement [number] in the PSP (Part A version)
RGZ	Residential Growth Zone
SIDRA	SIDRA Intersection Software
UGZ12	Urban Growth Zone Schedule 12
VCAT	Victorian Civil and Administrative Tribunal
VISTA	Victorian Integrated Survey of Travel and Activity

VITM	Victorian Integrated Transport Model
VPA	Victorian Planning Authority

Overview

(i) Consultation and Committee process

Referral summary	
Planning Scheme	Victorian Planning Authority Projects Standing Advisory Committee – Referral No. 4
Common name	Craigieburn West Precinct Structure Plan
Brief description	Implement the draft Craigieburn West Precinct Structure Plan by rezoning the land to Urban Growth Zone Schedule 12 and incorporating the Craigieburn West Precinct Structure Plan into the Scheme
Subject land	Land within the Craigieburn West Precinct Structure Plan – (refer to Figure 1)
The Proponent	Victorian Planning Authority
Council	Hume City Council
Targeted consultation	Stakeholder engagement from May to October 2019 Agency feedback and validation from July to October 2020 Public consultation in November 2020
Submissions	Number of Submissions: 42 See Appendix C1
Date of referral	8 March 2021

Committee summary	
The Committee	Nick Wimbush (Chair for Directions Hearing), Sarah Carlisle (Chair for main Hearing), Michael Ballock, Deanne Smith
Site inspection	27 May 2021
Consultation	Video conference Directions Hearing: 26 March 2021 Video conference Hearing: 26, 27, 28, 29 and 30 April and 3, 4, 5, 6, 10, 11, 12 and 14 May 2021
Parties to the Hearing	See Appendix C2
Citation	VPA Projects SAC Referral 4 – Craigieburn West Precinct Structure Plan [2021] PPV
Date of this report	17 June 2021

(ii) Findings and recommendations

The Committee has provided a comprehensive summary of its findings in Table 4 and Table 5 in Chapter 9.1. More detailed reasons are contained in the relevant chapter. The Committee's recommendations are set out in full in Chapter 9.2.

1 Introduction

1.1 Terms of Reference and referral

The Victorian Planning Authority Projects Standing Advisory Committee (the Committee) was appointed by the Minister for Planning in July 2020. The purpose of the Committee is set out in its Terms of Reference dated 17 July 2020 (Appendix A):

... provide timely advice to the Minister for Planning and the VPA on specific matters referred to it related to various proposals, including but not limited to structure plans, infrastructure and development contribution plans, framework plans, development plans and any associated draft planning scheme amendment and planning permits.

The Terms of Reference set out that the Committee is to consider unresolved issues. In doing so it must consider:

- a. The relevant components of the referred plan and associated draft planning scheme amendment and any associated planning permit (if relevant) that relate to the submissions or issues referred to it
- b. The referred submissions
- c. *Plan Melbourne*
- d. Any relevant Regional Growth Plan or Growth Corridor Plan
- e. The applicable Planning Scheme
- f. Relevant State and local policy
- g. Any other material referred to it.

The VPA has prepared a draft Amendment to the Hume Planning Scheme which proposes to implement the draft Craigieburn West Precinct Structure Plan (PSP). The submissions from informal exhibition of the draft Amendment were referred to the Committee on 8 March 2021 by the Minister for Planning (Appendix B) with a Public Consultation Report and Submissions Summary Table prepared by the VPA. The VPA provided the Committee with the draft Amendment documents including the PSP, Zoning and Overlay maps and Schedules, supporting technical reports and a copy of all submissions (Appendix C). The Committee were also referred a series of background reports (Appendix D).

This is Referral 4 to the Committee.

The members of the Referral 4 Committee were:

- Nick Wimbush, Chair (Directions Hearing)
- Sarah Carlisle, Chair (Hearing)
- Michael Ballock, Member
- Deanne Smith, Member.

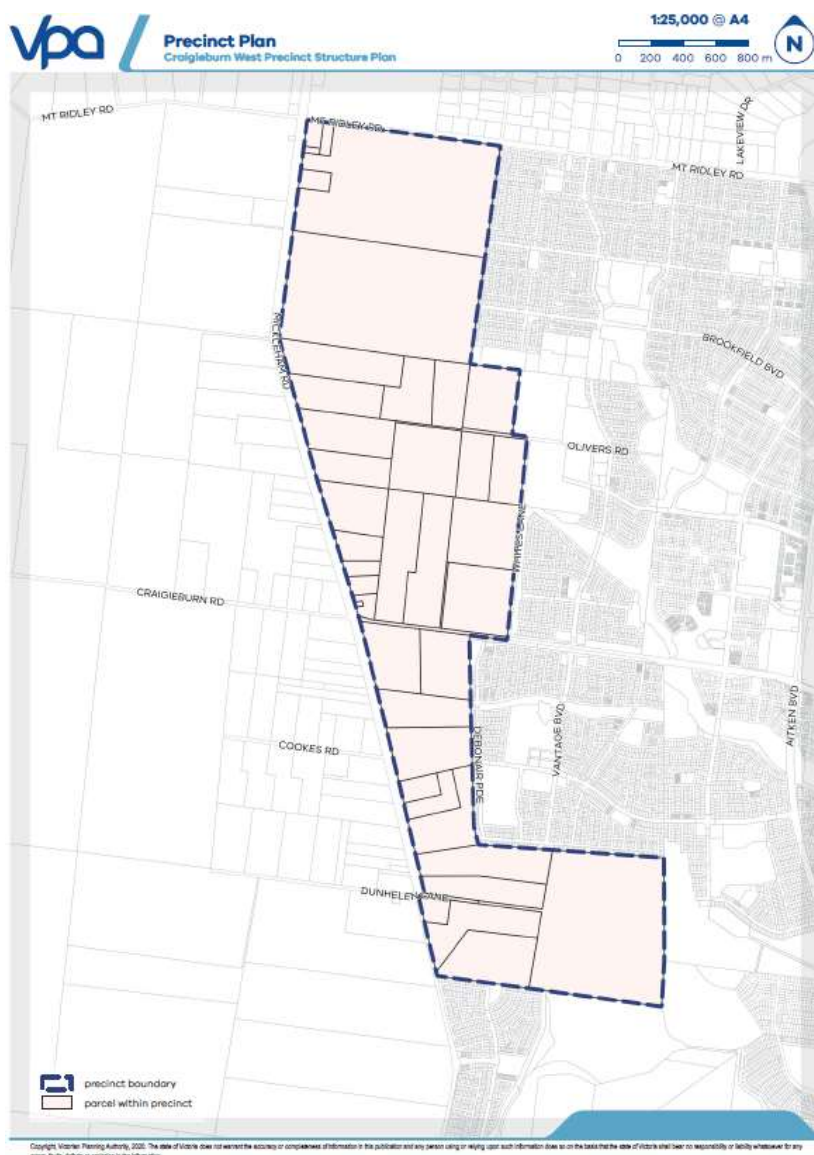
Kimberly Martin, Senior Project Officer at Planning Panels Victoria assisted the Committee.

1.2 Background

(i) Precinct

The draft Amendment applies to 562 hectares (ha) of land in Mickleham, bounded by Mt Ridley Road to the north, the existing suburban edge of Craigieburn and Greenvale to the east and south, and Mickleham Road (also the Urban Growth Boundary) to the west (see Figure 1).

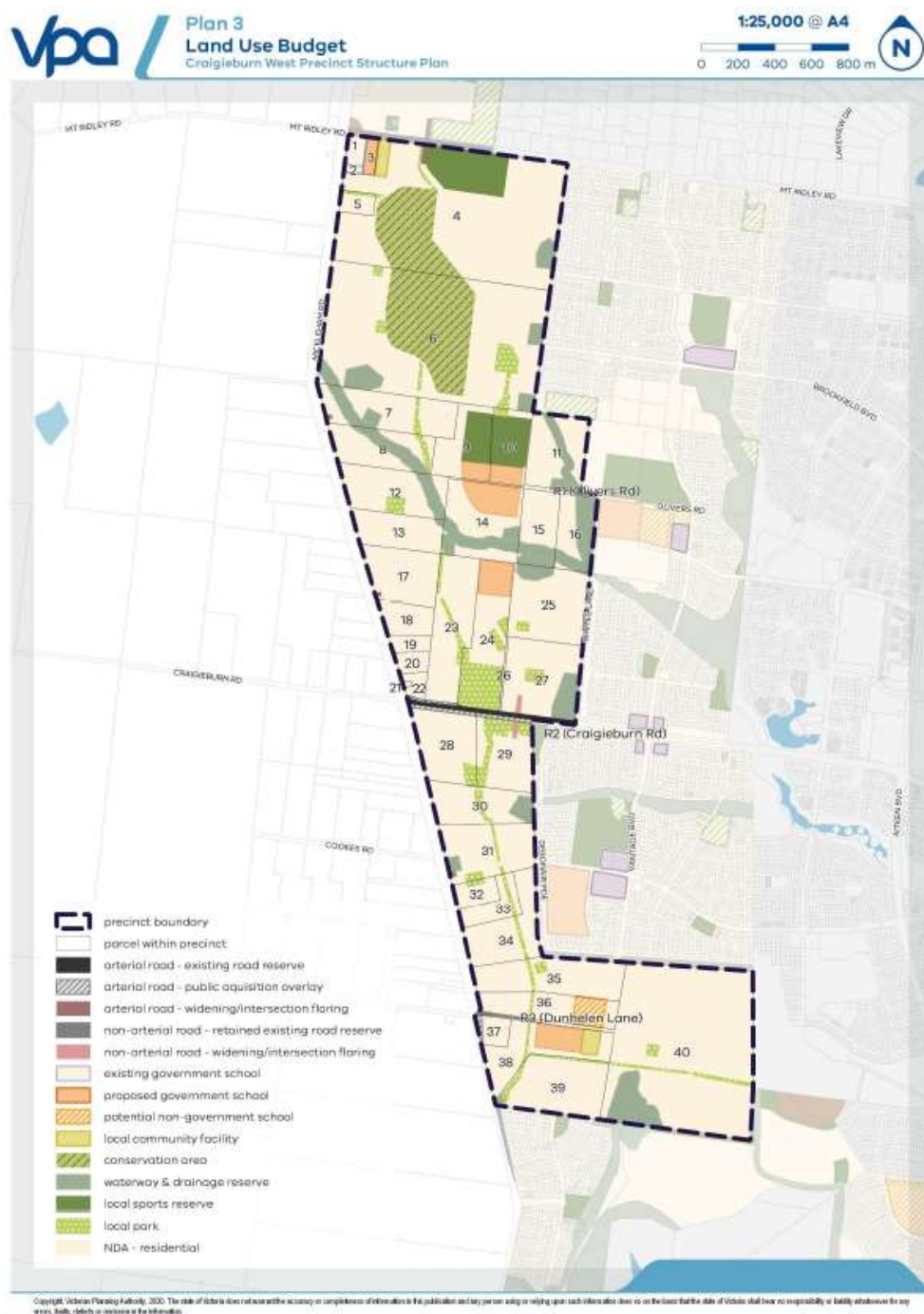
Figure 1 Craigieburn West PSP area



Source: Draft Amendment Explanatory Report

The precinct is located at the western edge of the North Growth Corridor. It consists of 40 land parcels ranging in size from around 0.14 hectares to 79 hectares. This report refers to the property parcel numbers shown on the PSP's Land Use Budget Plan, extracted in Figure 2 below. The precinct has a number of existing land uses, including three places of worship and a conference centre.

Figure 2 Land Use Budget



Source: Exhibited PSP

(ii) Precinct surrounds

The Craigieburn PSP (also referred to as R2) sits directly east of the Craigieburn West PSP. The Greenvale North PSP (also referred to as R1) adjoins Craigieburn West to the south. Both were approved in 2010.¹ Greenvale North PSP provides for urban development in two areas, east and west, with an 'investigation area' zoned Rural Conservation Zone Schedule 3 in the central area north of the Greenvale Reservoir.

¹ Amendments C119 and C120 to the Hume Planning Scheme

The Lindum Vale PSP sits to the north of the PSP, across Mt Ridley Road.² Lindum Vale provides a semi urban interface between the Craigieburn West PSP and the existing low density areas further north of Mt Ridley Road.

(iii) Precinct Structure Plan

The vision for the precinct is:³

Craigieburn West will develop as a series of predominantly residential neighbourhoods supported by a local Town Centre and adjoining residential areas.

The Precinct will leverage its unusual linear form by creating a series of walkable neighbourhoods arranged along a north–south spine comprising open space links and key road connections. The Precinct will also seek to embed heritage and landscape features within and around it by capitalising on opportunities to maximise views to nearby volcanic cones and integration with established native vegetation.

The central spine will support the primary place-making focus - creating energy and activation. The PSP features schools, community hubs, and diverse housing typologies linked with a range of open spaces, including conservation reserves, active open space, and a network of local parks.

The PSP will complete the structure planning process for the area, completing the delivery of green links within and beyond the PSP boundaries and provision of a sensitive built form interface to rural land west of Mickleham Road/UGB.

The PSP will also complete the catchment to surrounding activity centres external to the PSP, including Craigieburn Central, Aston Village and Highlands Village, while also providing for local facilities, including a centralised activity centre co-located with open space and community facilities, and a series of proposed government and potential non-government schools.

The PSP includes eight key objectives to guide the development of the precinct:⁴

Table 1 PSP Objectives

PSP Objectives		
1	Housing, subdivision & built form	To facilitate housing diversity and choice within Craigieburn West, including densities that support access to local services, jobs and sustainable transport options.
2	Transport & movement	To facilitate 20-minute neighbourhoods by providing a transport network that integrates with the adjoining established areas and supports active and public transport options, movement of goods and connections to jobs within Craigieburn West and the surrounding areas.
3	Public realm, open space & heritage	To provide a framework for a high amenity and integrated urban environment within Craigieburn West that encourages a sense of place and community, as well as responds to the existing natural, cultural and built form features.

² Lindum Vale PSP was approved in 2018 through Amendment C205

³ Craigieburn West Precinct Structure Plan, November 2020 – Section 2.1 Vision

⁴ Craigieburn West Precinct Structure Plan, November 2020 – Section 2.3 Objectives

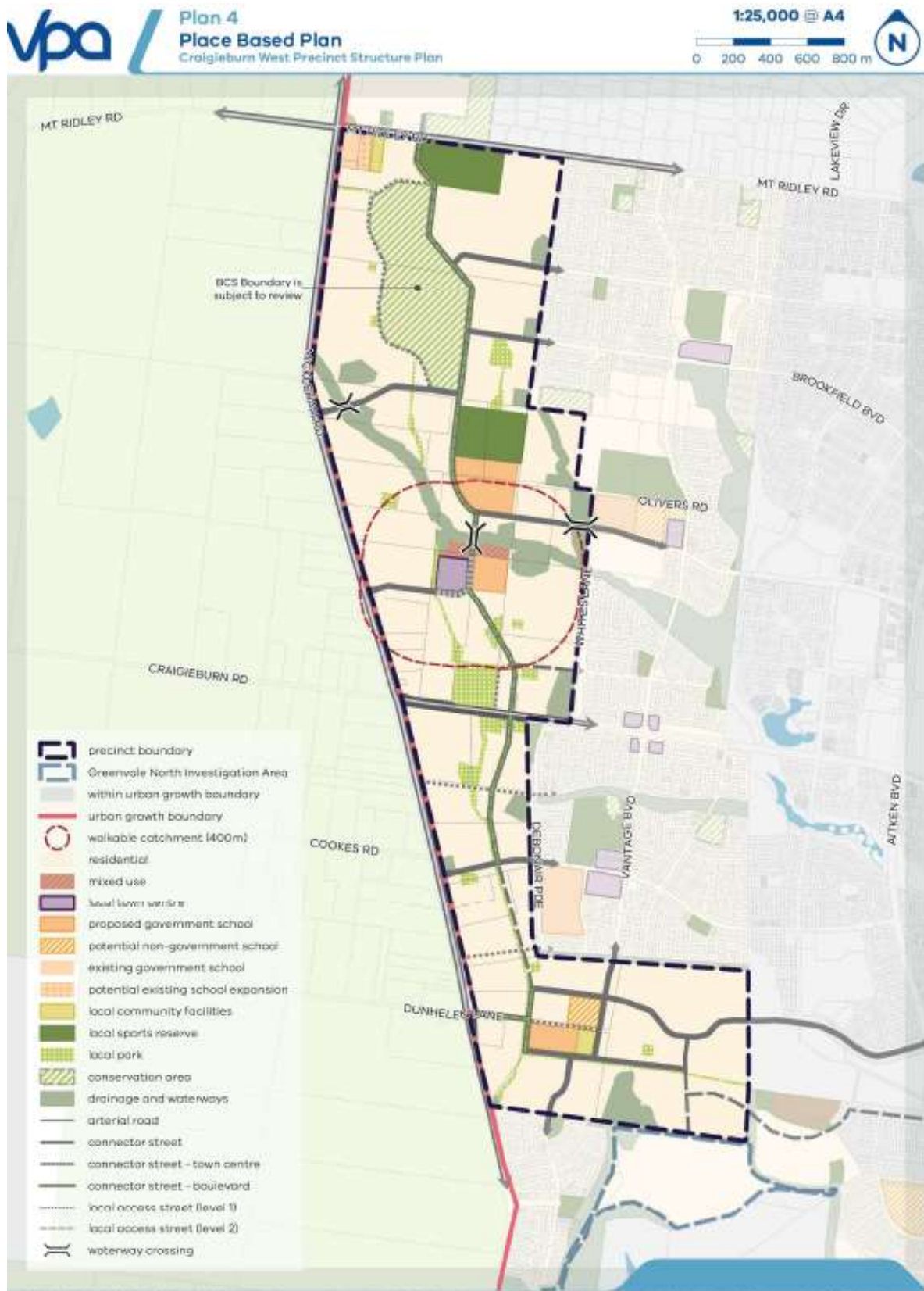
PSP Objectives

4	Water, utilities & safety	To facilitate safe, resilient and water sensitive urban environments in Craigieburn West that respond to climate change, bushfire management and final drainage outcomes including the protection of the Greenvale Reservoir Drinking Water Catchment.
5	Biodiversity and ecosystems	To facilitate the retention and protection of Conservation Area 29 and landscape features within Craigieburn West including scattered trees and waterways as key community assets that are integrated with the urban landscape.
6	Education & community infrastructure	To identify and facilitate the delivery of adaptable and multi-purpose open spaces, community facilities, schools, and other essential community infrastructure to support development.
7	Centres, employment & economic activity	To facilitate investment in an innovative and vibrant local and regional economy within a network of highly accessible activity and employment centres that support jobs and business activity for residents in Craigieburn West and surrounding areas.
8	Precinct infrastructure delivery	To identify and guide the timely delivery and staging of key essential infrastructure required for Craigieburn West.

The PSP includes requirements and guidelines for land use, landscape and open spaces, integrated transport, sustainability (including tree retention, water management and servicing), infrastructure delivery and development staging.

Figure 3 below shows the exhibited Place Based Plan.

Figure 3 Exhibited Place Based Plan



Source: Exhibited PSP

(iv) Proposed Amendment

The draft Amendment seeks to facilitate the development of the land in accordance with the PSP by:

- rezoning developable land in the precinct to the Urban Growth Zone Schedule 12 (UGZ12) which requires land use and development to be generally in accordance with the PSP
- rezoning Conservation Area 29 identified in the PSP from Farming Zone to Rural Conservation Zone, and applying the Environmental Significance Overlay Schedule 10 (ESO10) and Incorporated Plan Overlay Schedule 6 (IPO6) to the Conservation Area
- applying a Public Acquisition Overlay (PAO5) to facilitate acquisition of land by Head, Transport for Victoria for the widening of Craigieburn Road
- amending:
 - the Schedule to Clause 52.17 (Native Vegetation) to identify native vegetation that is exempt from a requirement to obtain a planning permit for its removal
 - the Schedule to Clause 52.33 (Post Boxes and Dry Stone Walls) to identify dry stone walls at 220 and 250 Olivers Lane which require a planning permit for removal
 - the Schedule to Clause 66.06 (Notice of Permit Applications) to require notice of permit applications within the Melbourne Airport N-Contours to Australia Pacific Airports (Melbourne) (APAM)
 - the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to incorporate the PSP.

(v) Consultation and engagement

Between 17 November and 18 December 2020, the VPA undertook targeted public consultation on the draft PSP and draft Amendment documents which involved:

- discussions with Council
- consultation with landowners specifically within the PSP area
- direct notification via a mailout of landowners and occupiers within 500 metres of the precinct⁵
- meetings with government and delivery agencies
- a project webpage (hosted by VPA's 'Have your say' platform and *Engage Victoria*) and promotion on social media channels
- responding to phone calls and emails
- a virtual drop-in session on 30 November 2020.

This consultation followed two earlier community engagement phases in:

- May 2018 (which included a community information workshop and business owner/operator meetings)
- February and March 2019 (which included a community drop-in session).

This consultation largely mirrored the formal exhibition process that would have applied under the PE Act, and this Report refers to consultation draft of the PSP as the 'exhibited PSP' even though it was not formally exhibited.

⁵ This involved 5326 mailouts that included a letter and project brochure which outlined the key features of the plan and planning process, details of how to make a submission and information regarding upcoming events

1.3 VPA Part A and Part C changes

The scope of unresolved issues narrowed considerably in the lead up to the Hearing. The VPA produced a Part A version of the Amendment documents reflecting agreed changes.⁶ Further changes were agreed by the VPA in response to submissions and evidence at the Hearing. These were recorded in tables of Part C changes presented by the VPA with its closing submissions.⁷

The Committee commends the VPA, Council and the parties for their proactive approach in seeking to resolve issues.

While resolved submissions were not considered by the Committee, it has reviewed the agreed Part A and Part C changes, and identified no issues with the proposed changes (except where otherwise stated in this Report).

The Committee has based its recommendations on the Part A versions of the PSP and UGZ12, with the agreed Part C changes. References in this report to specific Objectives, Requirements and Guidelines adopt the Part A numbering, not the exhibited numbering.

1.4 Issues

A total of 42 submissions were made to the draft Amendment and exhibited PSP (Appendix C).

The issues originally raised in submissions are summarised by the VPA in its Public Consultation Report and submission response table.⁸ The Part A changes are summarised in the Part A submission and an updated submission response table.⁹ The issues were further narrowed in the leadup to the Hearing, as summarised in the VPA's Part B submission which attached an updated submission response table.¹⁰ The issues remaining unresolved at the conclusion of the Hearing are summarised in Table 2 by theme.

Table 2 Summary of issues in dispute

Issue theme	Specific issues	Chapter
Traffic and transport	- transport modelling	0
	- Mickleham Road	3.3
	- number and location of left-in left-out intersections	3.4
	- local road network configuration	3.5 to 3.10
	- other assorted traffic and parking issues	3.11
Drainage and waterways	- flexibility of the PSP to respond to changes to the Development Services Schemes	4.2
	- Yuroke Creek Development Services Scheme	4.2
	- treatment of headwater streams	4.3
	- treatment of Aitken Creek and its Northern Tributary	4.4 and 0
	- treatment of the 'Gap Catchment'	4.6

⁶ Document 18 Appendices 2 and 3

⁷ Documents 159 and 160

⁸ Documents 2 and 3

⁹ Document 18 Appendix 1

¹⁰ Document 59

Issue theme	Specific issues	Chapter
Housing and density issues	- walkable catchments	5.3
	- dwelling densities	5.4
Trees and open space	- tree retention	6.2
	- location of active open space	6.2(i)
	- location and configuration of local parks	6.3(i)
	- location and configuration of green links	6.4(i)
Precinct infrastructure and staging	- location of the government secondary school	7.1
	- location of the government primary school	7.2
	- funding for the extension of Marathon Boulevard	7.2(i)
	- funding the culvert under Mickleham Road	7.3(i)
	- apportionment of open space and community facilities	7.4(i)
	- equity issues	7.5(i)
Melbourne Airport	- appropriateness of the PSP's response to the airport	8.1
Public realm and landscape character	- treatment of the Mickleham Road interface	8.1(i)
Biodiversity	- boundaries of Conservation Area 26	8.2(i)
	- management of the existing kangaroo population	8.2(i)
Town centre and out of centre uses	- issues related to the Local Town Centre (including size, the need for a concept plan and design guidelines)	8.4(i)
	- community uses on Parcel 25	8.6
	- non-residential uses on Parcels 21 and 22	8.7
Bushfire safety	- appropriateness of setbacks for bushfire management	8.8
Utilities	- removal of dams	8.8(i)

1.5 Procedural issues

(i) Conduct of proceedings

The Terms of Reference identify that:

Depending upon the nature of the referral, the Committee can conduct its proceedings through round table discussions, on the papers or, a public hearing, including by video conference if unable to conduct this 'in person'.

The Committee wrote to submitters on 12 March 2021 indicating that (among other things) the format for the consultation process would be discussed at the Directions Hearing, including whether it should be by roundtable or another forum in accordance with the Terms of Reference.¹¹

¹¹ Document 4

On 23 March 2021, the VPA wrote to the Committee outlining proposed Directions for a Hearing, but with modifications to the traditional format to ensure an efficient process.¹² These draft Directions were circulated to all submitters in advance of the Directions Hearing, and the Committee received some written responses prior to the Directions Hearing.

The hearing format, draft Directions and proposed dates were discussed further at the Directions Hearing. Parties were also given the opportunity following the Directions Hearing to provide dates of availability of witnesses. There was general support for the VPA's proposed Hearing format. The Committee issued Directions on 31 March 2021 for a Hearing involving opening submissions, followed by evidence presented in themes, then oral submissions from the parties and closing submissions. The Directions also facilitated a written exchange of Part C controls and responses following the conclusion of the Hearing.¹³

(ii) Requests for Directions

On 24 March 2021 the Committee received a request from IRD Developments Pty Ltd (IRD) that the Committee direct:¹⁴

- the VPA to produce documentation regarding the selection of the site for the government secondary school
- the Department of Education and Training (DET) to be joined as a party to the Hearing.

Following further discussion at the Directions Hearing, the Committee directed the VPA to meet with DET and IRD prior to the Hearing to further discuss the basis of the school site selection, including the provision of relevant background documents.¹⁵ The Committee did not direct DET to be joined as a party, as it was already a party.

Porter Davis Projects Pty Ltd (Porter Davis) sought information on intersections within the PSP and details of responses to all submitters. The VPA advised at the Directions Hearing that the VPA's submission response table had now been circulated to all parties, so no direction was required. The Committee directed Porter Davis to progress the question of intersection information separately with the VPA.¹⁶

On 25 March 2021 the Committee received a request for Directions from Stockland Development Pty Ltd (Stockland) that APAM provide written particulars of its submission to the Committee and parties prior to the commencement of the Hearing, including details of the precise mechanisms and procedures that APAM proposes with respect to the use and development of the PSP land.¹⁷ A Direction to this effect was made with the consent of APAM.¹⁸ APAM provided this information on 9 April 2021.¹⁹

(iii) Joinder of Greenvale Residents Association

Greenvale Residents Association made a submission to the draft Amendment and exhibited PSP, but did not attend the Directions Hearing. The Committee subsequently received a request from

¹² Document 5

¹³ Document 12

¹⁴ Document 6

¹⁵ Direction 30 in Document 12

¹⁶ Direction 31 in Document 12

¹⁷ Document 7

¹⁸ Direction 29 in Document 12

¹⁹ Document 17

the Association to be joined as a party and allocated a time to present an oral submission at the Hearing.²⁰ The Committee invited submissions from the parties on the request at the start of the Hearing. No party objected to the Association being joined, and the Committee granted the request.

(iv) Declaration

IRD notified the Committee in the week prior to the Hearing that it had retained Tom Pikusa of Counsel to represent it in the Hearing. Member Smith declared at the start of the Hearing that she was presenting expert evidence in a VCAT proceeding that was currently on foot for a party that was represented by Mr Pikusa.²¹ No party raised any objections or concerns.

(v) Whole of government position

The VPA received submissions from several State Government agencies and departments in response to the targeted consultation. Its Part A submission provided the agreed position (unless otherwise stated) of:

- the Department of Transport (DoT)
- DET (Victorian School Building Authority)
- Melbourne Water
- Yarra Valley Water (in its capacity as utility provider)
- Department of Environment, Land, Water and Planning (DELWP) – Melbourne Strategic Assessment
- DELWP – Land Management.

Notwithstanding, the Committee received separate submissions from DET (written submission only), DoT and Melbourne Water (which both appeared at the Hearing).

1.6 Content of report

The Terms of Reference require the Committee to produce a written report. Table 3 sets out the requirements for the report and where they are addressed in this Report.

Table 3 How report addresses the Terms of Reference

Terms of Reference report requirements	Report section
Whether the referred element(s) of the draft amendment is appropriate	Chapter 9
A summary and assessment of the issues raised in submissions referred to the Committee	Chapters 3 to 8
Any other relevant matters raised in the course of the Committee process	Not applicable
A list of persons who made submissions considered by the Committee	Appendix C1
A list of tabled documents	Appendix D
A list of persons heard	Appendix C2

²⁰ Document 14

²¹ Document 58

1.7 Limitations

The Terms of Reference makes it clear that the Committee is to only consider the unresolved submission issues referred to it for advice, although all submissions were referred to it. This Report focuses on the issues remaining in dispute at the conclusion of the Hearing, and the Committee has confined its consideration to those issues.

2 Planning context

2.1 Planning framework

(i) The Planning Policy Framework and local policies

The draft Explanatory Report and supporting documents explain how the draft Amendment satisfies or implements the key policies of the Planning Policy Framework and Local Planning Policy Framework. The VPA's submissions further set out the strategic basis of the draft Amendment and PSP. These matters were not contested, and the VPA's submissions are not repeated here.

(ii) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. *Plan Melbourne* is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved.

The directions particularly relevant to the Amendment relate to Outcome 2 – Providing housing choice in locations close to jobs and services by:

- managing the supply of new housing in the right locations including established areas to create 20 minute neighbourhoods
- providing housing diversity and choice
- planning for expected housing needs
- providing certainty about the scale of growth
- locating medium and higher density development near services, jobs and public transport and within areas identified for residential growth including areas designated as national employment and innovation clusters
- increasing the supply of social and affordable housing.

(iii) North Growth Corridor Plan

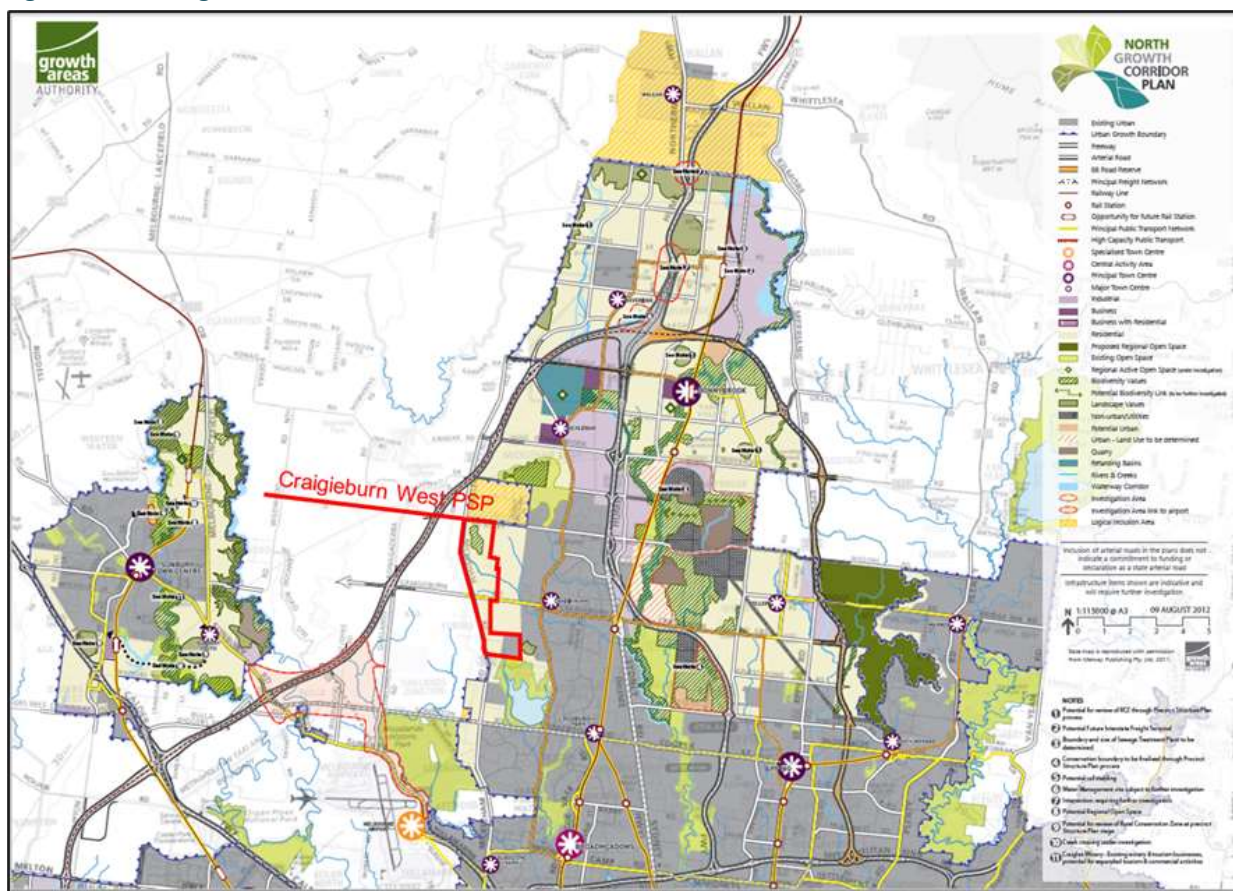
The Growth Corridor Plans identify:

- the intended long-term pattern of land use and development
- committed transport networks as well as network options for investigation
- committed regional open space networks as well as investigation sites
- opportunities for creating green corridors.

The Craigieburn West PSP is located in the North Growth Corridor which includes land in the municipalities of Hume, Whittlesea and Mitchell. At the time the plans were drafted, the North Growth Corridor area was projected to accommodate a population of approximately 260,000 people and has the capacity to provide around 83,000 jobs.

The North Growth Corridor plan (Figure 4, below) identifies the PSP area as 'residential', with a Biodiversity Conservation area in the north and a small amount of existing urban development in the south-east of the precinct.

Figure 4 Craigieburn West in context of the North Growth Corridor Plan



Source, North Growth Corridor Plan, 2012

(iv) Planning scheme provisions

Areas identified for urban development

The Amendment proposes to apply the UGZ12 to the PSP area (except the Conservation Area).
 The purposes of the UGZ are:

- To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
- To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.
- To contain urban use and development to areas identified for urban development in a precinct structure plan.
- To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.
- To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

The UGZ12 details the provisions for use and development including applied zone provisions, application requirements (including public infrastructure plan, site and context descriptions and design responses, preliminary site investigation, geotechnical and groundwater assessments, sodic and dispersive soil management, a heritage and dry stone wall assessment and Kangaroo Management Plans), conditions to be included on permits, exemptions from notice and review

where applications are generally in accordance with the PSP, and decision guidelines including whether the application delivers affordable housing.

Conservation Area

The Conservation Area is to be rezoned Rural Conservation Zone, which includes the following relevant purposes:

To conserve the values specified in a schedule to this zone.

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the area.

To conserve and enhance the cultural significance and character of open rural and scenic non-urban landscapes.

The Conservation Area will also have the ESO10 and IPO6 applied. The Statement of Significance in the ESO10 notes:

... As part of the delivery of Melbourne's Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

...

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

The IPO6 identifies areas which require future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.

(v) Ministerial Directions

The Amendment complies with the applicable Ministerial Directions including the Form and Content of Planning Schemes as outlined in the Explanatory Report. The Amendment broadly complies with the following Ministerial Directions relating to the preparation of an amendment of this type, including:

- Ministerial Direction No. 11 Strategic Assessment of Amendments
- Ministerial Direction No. 12 Urban Growth Areas
- Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans and Ministerial Reporting Requirements for Infrastructure Contributions Plans (February 2021).

2.2 Discussion and findings

No submission contested the strategic justification for the PSP and the Amendment in principle. Issues of concern related largely to the detail of the PSP.

The Committee finds that the draft Craigieburn West PSP and draft Amendment:

- are supported by, and implement, the relevant sections of the Planning Policy Framework
- are consistent with the relevant Ministerial Directions and Practice Notes
- are well founded and strategically justified
- will deliver net community benefit and sustainable development, as required by Clause 71.02-3
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 Traffic and transport issues

3.1 What is proposed?

The PSP is informed by two background reports prepared by One Mile Grid:

- *Craigieburn West Precinct Structure Plan Existing Conditions Assessment* dated 18 February 2020
- *Craigieburn West Precinct Structure Plan Transport Impact Assessment* dated 9 November 2020.

The Transport Plan is extracted in Figure 5.

Figure 5 Transport Plan



Source: Exhibited PSP

Council proposed an alternative Transport Plan (see Figure 6).

Figure 6 Council alternative Transport Plan



Source: Evidence statement of Stephen Pelosi (Document 37)

3.2 Transport modelling

(i) The issue

The issue is:

- the adequacy of the transport modelling undertaken to inform the PSP.

(ii) Context

Council retained GTA Consultants to peer review the One Mile Grid background reports. GTA produced a Technical Note dated 18 December 2020²² which identified a number of concerns with the One Mile Grid modelling, including the residential density assumptions underpinning the modelling.

The VPA requested One Mile Grid to prepare an Addendum which updated the traffic modelling with revised (increased) residential densities.²³ The revised modelling predicted increased traffic volumes which in some cases exceeded the theoretical capacity on a number of the internal roads (in particular the east west connectors). One Mile Grid recommended changes to the road hierarchy in response, which are reflected in the Part A changes to:

- upgrade various east west connectors to boulevard connectors
- downgrade the north south connector south of Craigieburn Road to a connector street.

(iii) Evidence and submissions

One Mile Grid used a spreadsheet model to predict the likely future traffic volumes on the internal and surrounding road network, rather than a strategic model like the Victorian Integrated Transport Model (VITM) developed and maintained by DoT. VITM is commonly used to undertake strategic transport modelling to inform PSPs.

Council and its expert traffic witness Mr Pelosi were critical of One Mile Grid's use of a spreadsheet model. Mr Pelosi raised several concerns:

- the spreadsheet model was unlikely to possess the complexity and analytical breadth of strategic transport models such as VITM, and cannot be relied upon with a high degree of confidence
- the trip generation rates used by One Mile Grid (9 vehicle movements per day per standard density dwelling and 7 movements per day per medium density dwelling, with 0.9 trips per household in the am peak) were too low. He regarded a peak trip generation rate of 1.58 per household to be more appropriate
- the directional split assumptions made by One Mile Grid resulted in an underestimate of the traffic flows in both the morning and afternoon peaks
- the traffic distribution assumptions, which directed much of the traffic east, resulted in an underestimate of the additional volumes on Mickleham Road.

Council proposed an alternative Transport Network Plan designed to address these issues, based on four principles:

- creating movement choices and connecting neighbourhoods
- managing sequencing

²² Attached to Council's submission to the draft Amendment

²³ Document 18(e), attached to the VPA's Part A submission

- creating a safe and equitable movement network for all
- responding to features in the urban structure.

Mr Pelosi supported the Council alternative, concluding it provides improved movement choices and better connections within the PSP, better addresses fragmented ownership patterns by locating roads within single parcels where possible, and provides a basis for establishing two new bus routes to better service internal destinations and connect to key external destinations like Craigieburn Central shopping centre and Craigieburn Station.

The VPA responded that strategic models are generally used where PSPs propose changes or additions to the broader arterial road network. This is not the case with the Craigieburn West PSP, which is dealing with an internal road network only. The use of a spreadsheet model was therefore appropriate.

The VPA submitted that Mr Pelosi's trip generation rate (1.58 movements during the morning peak) was overstated. The VPA asked the traffic witnesses called by landowners (Mr Walsh and Ms Marshall, both experienced traffic engineers who have done a lot of work in growth areas) what they considered to be a reasonable peak period trip generation rate in a growth area context. Both Mr Walsh and Ms Marshall both routinely adopt peak trip generation rates of less than 1 vehicle movement per household. The VPA pointed the Committee to a recent VCAT decision in which the Tribunal had accepted a rate of less than 1.²⁴ The VPA submitted that on that basis, One Mile Grid's trip generation rate of 0.9 was appropriate and would not result in an underestimate of peak traffic volumes generated by the PSP.

(iv) Discussion and findings

The two most controversial aspects of the modelling were the absence of a strategic modelling analysis, and the peak trip generation rates assumed in the modelling.

The Committee accepts that it is appropriate in this case not to have undertaken strategic transport modelling. The PSP proposes no new arterial roads, and as Mr Pelosi conceded in cross examination, a spreadsheet model is an appropriate tool to underpin the design of an internal network of local (non-arterial) roads. It is of note that neither of the experts called by landowners (Mr Walsh and Ms Marshall) raised concerns in relation to the absence of strategic modelling.

The GTA Technical Note suggested that the initial modelling may have significantly underestimated the likely residential densities in the PSP and therefore the traffic volumes generated by the PSP. However, this has been rectified in the One Mile Grid Addendum, and has led to reclassifying (upgrading) a number of the internal roads to provide higher theoretical capacities to cater for the internal traffic. No traffic expert, including Mr Pelosi, challenged the reclassification of the internal roads reflected in the Part A changes.

There was a substantial difference between Mr Pelosi's peak generation rate (1.58 movements per household), and the rate adopted by One Mile Grid (0.9), which Ms Marshall (who gave expert traffic evidence for Henley Properties Group) described as "*overly conservative*".

The Committee acknowledges that Mr Pelosi's rate was based on an analysis of Census and Victorian Integrated Survey of Travel and Activity (VISTA) data specific to the City of Hume. However, Mr Pelosi's rate was substantially higher than the rates Mr Walsh and Ms Marshall

²⁴ *Mogprop Management Pty Ltd v Casey CC* [2018] VCAT 980

routinely adopted in growth area contexts, which were more aligned (even marginally lower) than the rate adopted by One Mile Grid. Mr Pelosi was not able to point to any examples of PSPs in which a peak trip generation rate of higher than 1 movement per household had been adopted.

Further, the Census and VISTA data on which Mr Pelosi relied was for the whole of the municipality and did not account for possible variations in car ownership rates and vehicle use patterns between growth areas and established suburbs. According to Mr Hill (from One Mile Grid and who authored the background traffic reports and gave traffic evidence for the VPA), VISTA data includes all trips (including cycle trips, public transport and pedestrian trips), not just car trips. The Committee was therefore not persuaded that the data relied on by Mr Pelosi was necessarily more accurate than that relied on by One Mile Grid.

On balance, the Committee was not persuaded that the trip generation rates adopted by One Mile Grid were demonstrably inappropriate.

The Committee finds:

- The updated traffic modelling in the One Mile Grid Addendum, which was revised to address the issues identified in the GTA Technical Note, is appropriate.
- The trip generation rates assumed by One Mile Grid in the modelling are appropriate.
- The Committee supports the changes to the internal road hierarchy recommended by One Mile Grid in the Addendum and reflected in the Part A changes.

3.3 Mickleham Road

(i) The issue

The issue is:

- whether the PSP should be delayed until Mickleham Road is duplicated (or funding commitment is made to its duplication).

(ii) Context

The section of Mickleham Road bordering the PSP is currently two lanes. Mickleham Road will eventually be duplicated to four lanes, and then to six lanes from Somerton Road (south of the PSP) to Donnybrook Road (north of the PSP). Duplication will be undertaken by the State Government. There is no current commitment to the funding or timing of the Mickleham Road duplication.

The VPA proposed a new Guideline in the PSP as part of the Part C changes:

Development staging should have regard to the delivery of key local and state infrastructure.

(iii) Evidence and submissions

A number of submissions raised concerns in relation to existing congestion and safety issues on Mickleham Road, including Aitken College (which is located to the south of the PSP) and the Greenvale Residents Group. Residents currently experience long delays on Mickleham Road during the peaks, with few viable alternative routes available.

Council noted that in the six years between 2013 and 2019, traffic volumes on Mickleham Road increased significantly from around 15,300 vehicles per day to 28,600 vehicles per day. DoT provided updated figures of 36,000 vehicles per day on Mickleham Road south of Somerton Road

(this section of the road has been duplicated) but had not undertaken recent traffic counts on the section adjacent to the PSP.

The PSP will deliver more than 8,230 additional dwellings. Council submitted that (based on Mr Pelosi's higher trip generation rates) this could add a further 13,000 vehicles in the morning peak to the network, a substantial portion of which would likely end up on Mickleham Road.

Council's position (supported by Mr Pelosi) was that the PSP should be delayed until funding commitment was made to the duplication of Mickleham Road. It submitted:

For its part Council thinks that the costs of all this existing congestion (which is difficult to quantify though not impossible) are likely to far outweigh any perceived benefits in approving the PSP given the significant tracts of land available for development within Hume such as directly north and south of the PSP area owned by Satterley.

It went on to submit:

It should not be regarded as a big ask or too much to ask to better co-ordinate land release with infrastructure delivery especially when the issue is as foreseen as it is here. Furthermore, it is not as if there is any sort of residential land shortage. ...

Council submitted that at the very least, the PSP should include an additional objective that seeks to ensure that development staging is co-ordinated with the delivery of key local and state infrastructure, so that permit applications are specifically assessed having regard to the adequacy of infrastructure. The VPA agreed to include a guideline (rather than an objective) to this effect.

The VPA's Part A submission commented that current traffic volumes on Mickleham Road are not unusual for similar roads in other growth areas and would be the expected norm in inner and middle Melbourne. While it acknowledged congestion during peak periods, it submitted that traffic volumes are relatively low during the remainder of the day. It submitted:

Delaying the approval of Craigieburn West because of traffic congestion on Mickleham Road will not solve the core problem, and traffic congestion on Mickleham Road will continue to build due to existing approvals and development already occurring. Delaying the approval, however, will delay the completion of the connector road network – resulting in an extended period of sub-optimal network performance while preventing the delivery of well-located residential development.

It submitted that approving the PSP was likely to bring forward funding commitment for the Mickleham Road duplication.

The One Mile Grid Transport Impact Assessment suggested that major improvements to the external road network will have a *"significant impact"* on traffic volumes in the vicinity of the PSP area, including significant reductions on Mickleham Road. Mr Pelosi's evidence was that delivery timeframes for these projects is uncertain and it is unclear whether they will effectively assist in reducing the pressure on Mickleham Road.

Peet Limited (Peet) opposed Council's position that the PSP should be delayed until funding for the Mickleham Road duplication was committed, submitting this would be *"wholly undesirable"* and *"wholly inconsistent with the significant need for strategic planning in the area, as evidenced by the inclusion of the PSP as a 'Fast Track Project' intended to unlock access to housing and employment in strategic growth areas across Victoria"*.

Peet submitted that the approval of the PSP will not immediately affect the status and operation of Mickleham Road, as development would likely be staged over a number of years. Further, other steps such as the upgrade of intersections on Mickleham Road and improvements in the broader

road network (such as the planned upgrades to Craigieburn Road and Mt Ridley Road) would likely improve the operation of Mickleham Road. It submitted:

The Committee should bear in mind that decisions about major infrastructure upgrades may be made having regard to a broader context. Mickleham Road is not the only road in Victoria that is at, or near capacity. The Committee is not in a position to give any informed advice as to how it ranks amongst other road or infrastructure projects in the State, or the relative value or importance of its upgrade. Those are properly decisions for government, not for strategic planning.

(iv) Discussion and findings

The Committee found the Mickleham Road duplication issue troubling. ‘Growing pains’ have long been a recognised feature of new development in Melbourne’s growth areas, and for years there has been much debate about infrastructure, particularly State transport infrastructure, taking too long to ‘catch up’ with new development.

The current volume of traffic using Mickleham Road is either at or over the theoretical capacity of a single lane arterial road. The Committee appreciates that theoretical capacity is not an engineering constraint, but rather a road functionality constraint, but that does not make it any less important. The submissions from Aitken College and the Greenvale Residents Association highlighted the daily impacts congestion on Mickleham Road is having on local residents.

Clause 18.02-2S states (in Strategy 6):

Plan or regulate new uses or development of land near an existing or proposed transport route to avoid detriment to and where possible enhance, the service, safety and amenity desirable for that transport route in the short and long terms.

Adding more traffic to an already congested and over capacity road does not seem consistent with the policy.

The Committee specifically asked DoT to provide more information about the duplication of Mickleham Road, including when duplication might be expected.²⁵ DoT’s response was that it considers the upgrade of Mickleham Road is an *“important future project”*, but:²⁶

The Department is unable to comment on whether funding has been sought in relation to Mickleham Road.

It explained that there are a number of metrics that DoT reviews when deciding whether a road duplication or widening may be appropriate, including overall travel time and speed, intersection performance, traffic volumes, crash statistics and expected traffic growth. It submitted that these metrics can often be improved with intersection upgrades ahead of a full duplication. It explained:

All proposals for road investments, including road widenings, are prioritised on a state-wide basis. Whilst a road may warrant consideration for duplication, further consideration is required as to whether it is a priority across all roads which meet the same warrant in Victoria. This consideration is in line with the Department of Treasury and Finance Investment Management Standard.

DoT explained that typically, there could be two to four years between a budget commitment for a duplication project and the works finishing, although times vary depending on the circumstances.

²⁵ Document 112 sets out a series of questions the Committee put to DoT regarding upgrades to Mickleham Road as well as other network improvements in the area.

²⁶ The response was provided in the submission made on behalf of the Head of Transport for Victoria (Document 122)

On balance, the Committee does not consider that it is appropriate to delay the approval of the PSP until the Mickleham Road duplication is budgeted. In response to submissions and the Committee's questions, DoT explained that:

- the duplication of Mickleham Road is under active consideration
- the Mickleham Road reservation south of Mt Ridley Road is 60 metres wide
- the section south of Dunhelen Lane is narrower but a Public Acquisition Overlay is in place to facilitate a widening
- a six lane upgrade could be accommodated within the existing reserve (north of Dunhelen Lane) and the widened reserve (south of Dunhelen Lane)
- the most recent State budget provides for \$9 million for installation of new traffic lights at the entrance to Aitken College on Mickleham Road and planning for duplication from Somerton Road to Dellamore Boulevard
- the Government has announced several road projects to reduce congestion and improve safety in the northern and north western suburbs, including upgrades to Craigieburn Road West, Childs Road, Epping Road and Sunbury Road
- the Craigieburn Road upgrades are expected to commence in the second half of 2021 and completion is anticipated in the second half of 2024
- the intersection of Craigieburn Road and Mickleham Road will be upgraded to an interim standard as part of the Craigieburn Road upgrades, and the draft Amendment proposes to apply a Public Acquisition Overlay over the land needed to upgrade the intersection to its ultimate standard
- further upgrades to Mickleham Road will be considered under a future funding program in a state-wide context.

DoT also referred to a number of major road projects in the area which it submitted could have an impact of traffic flows on Mickleham Road within the next 10 to 20 years, including the Outer Metropolitan Ring Road, upgrades to the Hume Freeway, improvements to Donnybrook Road, widening of Somerton Road, widening of Mt Ridley Road and the completion of Aitken Boulevard.

While the Committee would have preferred a firm indication from DoT as to when Mickleham Road is likely to be upgraded, it understands that this is subject to State Government funding decisions, and that these decisions must take into account competing priorities across the network. The land needed for duplication is either available already or within a Public Acquisition Overlay. In the meantime, intersection upgrades and improvements in the wider road network will hopefully go some way to addressing the ongoing congestion issues associated with Mickleham Road.

The Committee urges the VPA to continue an active dialogue with DoT about the Mickleham Road upgrades and to advocate for the upgrades to be brought on as soon as practicable.

The Committee finds:

- While the existing congestion levels on Mickleham Road are troubling, on balance the Committee does not consider that it would be appropriate to delay the approval of the PSP until the Mickleham Road duplication is funded.
- The Committee urges the VPA to continue an active dialogue with DoT about the Mickleham Road upgrades and to advocate for the upgrades to be brought on as soon as practicable.

3.4 Left-in left-out intersections

(i) The issues

The issues are:

- whether additional left-in left-out (LIL) intersections should be shown on Mickleham Road and Mt Ridley Road
- whether the PSP should allow for LIL intersections to be fully directional in their interim configurations
- whether the PSP should allow for temporary LIL intersections.

(ii) Evidence and submissions

The need for additional LIL intersections

The exhibited Transport Plan proposes two LIL intersections on Mickleham Road, one north of Cookes Road and one north of Dunhelen Lane. The VPA proposed adding a third, at the intersection of the local access street it proposes should border the realigned southern boundary of Conservation Area 26. None are shown on Mt Ridley Road.

Council submitted that five additional LILs should be indicated on the Transport Plan, as shown on its alternative (Figure 6). It submitted that this would enable a finer distribution of traffic movements within the PSP, reducing traffic demands on the internal road network and at the signalised intersections on the arterial roads. Mr Pelosi supported Council's position.

Ms Marshall's evidence for Henley Properties Group (Henley) was that the Mickleham Road frontage north of Craigieburn Road is 3 kilometres, which would ordinarily require an arterial road at the midpoint, supported by two connector roads at roughly 800 metre spacings. The reduced number of connections combined with the lack of an arterial road (which can't be provided because of the location of Conservation Area 26) will increase the traffic load on the two east west connector roads north of Craigieburn Road, the northern of which will be over capacity according to the One Mile Grid modelling. Further, a large number of land parcels in the northern portion of the PSP will remain landlocked until one or both of the east west connectors are constructed.

Ms Marshall recommended adding at least two more LIL intersections on Mickleham Road north of Craigieburn Road. These intersections could, subject to road authority approval, be fully directional until Mickleham Road is duplicated. This would disperse the concentration of traffic on the two east west connector roads, and provide more opportunity for development to proceed in the event that the land owners with the only two connections shown on the exhibited Transport Plan do not choose to develop early.

In response to Ms Marshall's evidence, the VPA acknowledged that further LIL intersections on Mickleham Road are likely, but their location is ultimately a matter for the permit application process. This was broadly consistent with DoT's position, which submitted that the omission of LIL accesses will not detrimentally reduce the provision of greater network permeability throughout the PSP area, as they can and will be considered through permit applications.

Stockland opposed Council's proposal to show an additional LIL on Mt Ridley Road, submitting that there is no need to prescribe it, or to specify its location. It submitted *"there is no benefit in the certainty of this outcome, which will only serve to reduce flexibility in subdivision design"*.

Interim configuration of LILO intersections

This issue was raised by Peet, using the example of the intersection between Mickleham Road and Gallantry Avenue. This is shown as a LILO on the PSP's Transport Plan, but Peet submitted during the early stages of development, this intersection will also need to facilitate a right turn into Gallantry Avenue for traffic travelling north on Mickleham Road. Ms Marshall also referred to interim accesses off Mickleham Road being fully directional until such time as Mickleham Road is duplicated.

Temporary LILO intersections

Peet submitted that a guideline that acknowledges the likelihood that developments along arterial roads will obtain interim access via LILO intersections would assist during the implementation stage.

(iii) Discussion and findings

The need for additional LILO intersections

The VPA has criteria for assessing whether LILOs should be shown on a PSP:

- where there is a strategic justification for LILO access in a specific location
- where LILO access must be shown in a specific location, due to existing road alignments.

It submitted that none of the additional LILOs proposed by Council or Henley met the criteria, except the LILO required to provide internal access to Mickleham Primary School (although its final location should be subject to discussion with DoT, DET, Council and the landowner).

DoT submitted that it would consider supporting additional LILOs *“where it can be demonstrated that their inclusion benefits the road network”*. The Committee is satisfied on the basis of Ms Marshall's evidence (which is consistent with Council's position) that additional LILOs on Mickleham Road north of Craigieburn Road will benefit the network. It is satisfied that:

- the lack of an east west arterial in the northern part of the PSP puts additional pressure on traffic volumes on the two east west connectors
- the One Mile Grid modelling predicted that volumes on these two connectors will be high, and the northern connector will be at or over its theoretical capacity.

Further, Mr Hill acknowledged in cross examination that although the LILOs may not be required, they would be an advantage.

The Committee considers that this provides strategic justification for additional LILOs on Mickleham Road north of Craigieburn Road, albeit that their precise location is yet to be finalised.

Stockland submitted that flexibility should be maintained about the location of the LILO south of the Conservation Area, because the internal network of local access roads in this area is yet to be determined. The VPA accepted that the submission had merit. Stockland also opposed identifying the need for, or location of, an additional LILO intersection on Mt Ridley Road.

On that basis, the Committee considers that rather than identifying specific locations for the LILOs on the Transport Plan, the PSP should include an additional Guideline in Section 3.2.3 (street network) that states:

At least two additional left-in, left-out intersections are likely to be required on Mickleham Road north of Craigieburn Road, and one additional left-in, left-out

intersection may be required on Mt Ridley Road. The final location of these intersections is to be to the satisfaction of the relevant road authority.

This provides support for additional LILOs without locking in a specific location. This should overcome the problem identified by Ms Marshall in her oral evidence of difficulties negotiating additional LILOs with DoT that are not shown in a PSP.

Interim configuration of LILO intersections

A LILO intersection could (and may need to be) fully directional prior to the arterial road being duplicated. This is a matter that would need to be negotiated with the road authority at the permit application stage. The Committee considers that an interim fully directional intersection would still be 'generally in accordance with' the PSP, and it is not necessary for the PSP to specifically address this issue.

Temporary LILO intersections

Similarly, temporary LILOs are a matter that can be negotiated with the relevant road authority at the permit application stage. It is not necessary for the PSP to specifically deal with temporary access arrangements.

The Committee finds:

- The PSP should specifically acknowledge the need for two additional LILO intersections on Mickleham Road north of Craigieburn Road, and potentially one additional LILO intersection on Mt Ridley Road. The final locations of the intersections should be determined to the satisfaction of the road authority.
- There is no need for the PSP to specifically deal with interim configurations of LILO intersections, or temporary LILO intersections.

3.5 North south connector

(i) The issues

The issues are:

- the alignment of the northern section (north of Craigieburn Road)
- the alignment of the southern section (south of Craigieburn Road)
- the cross section of the section adjacent to the linear park.

(ii) Evidence and submissions

Alignment north of Craigieburn Road

The Pask Group (Pask) submitted that the diagonal section of the north south connector road, south of the primary school and the Local Town Centre (LTC), should be realigned to follow a straight alignment as it travels south. It presented two options:

- Option 1 (preferred by Pask) was to realign the road along the southern edge of the school and then do a right angle turn to continue south along the boundary of Parcel 25
- Option 2 was to continue straight south of the town centre, and include a right angle turn further south.

Mr Walsh presented expert evidence for Pask assessing these two options. He preferred Option 1 but considered that both options would deliver a satisfactory traffic engineering outcome. His evidence was:

- Option 1 improves accessibility to the school and provides it with another connector street frontage, while not diminishing the legibility of the north south connector street.
- Option 1 is consistent with Requirement R35 of the PSP which requires education facilities to have a minimum of two road frontages (three preferred), with at least one connector road wide enough to allow for school bus movement, on-street parking and two way traffic movement.
- There is likely to be bus stops near the school or the LTC that will lessen the amount of on-street parking, with competition between the school and LTC patronage for parking. This would be alleviated by providing a third road frontage for the school.

The Universal Orthodox Syrian Church owns Parcel 25 to the east of the Pask land, adjacent to the proposed school. It supported Option 1, submitting that it would provide:

- better access to the existing church (which is currently accessed off Whites Lane) and the proposed community uses on the land, including by bus services
- better integration and connectivity between the LTC and school and the proposed complementary community uses on its site
- better walking and cycling connectivity to the nearby LTC and school (given the north south connector is a boulevard connector in this section, which includes a two way bike paths and pedestrian paths).

The VPA supported the Pask Option 1.

Council, on the other hand, preferred the diagonal alignment, based on place making and tree retention considerations. It noted that the north south connector had been aligned to travel between local parks LP-06 and LP-08 in which substantial existing trees are to be retained, providing good place making outcomes.

Alignment south of Craigieburn Road

Peet presented a Masterplan²⁷ which proposed minor changes to the alignment of the north south connector south of Craigieburn Road, shifting it slightly west to align with the linear park (green link) and straightening its alignment. This was primarily to allow delivery of the Peet's proposed Stormwater Management Strategy and to facilitate a more efficient lot layout. Porter Davis also proposed minor adjustments which do not appear to be inconsistent with those proposed by Peet.

Mr Walsh gave traffic evidence for Peet and supported the realignment of the north south connector. His evidence was that Peet's proposed alignment is preferable from a traffic perspective, as it is more centrally placed between Mickleham Road and Debonair Parade and will have no material impact on other landowners or the network.

Cross section of the southern section

Mr Walsh supported the VPA's proposal to downgrade the southern section of the north south connector to a connector street, noting that this was consistent with the volumes predicted in the updated One Mile Grid traffic modelling. He noted, however, that the connector street cross

²⁷ Document 106

section in the PSP includes a footpath on both sides of the road and a two way bicycle path on one side. He considered this unnecessary for the section that will be realigned adjacent to the linear park, as pedestrian and cycle paths will be provided in the green link.

Mr Walsh considered that the PSP should include a cross section that clearly shows how the connector street and abutting linear park are to function, with a shared path on the linear open space side and a pedestrian path on the other side.

(iii) Discussion and findings

The VPA agreed to the realignment of the north south connector both north of Craigieburn Road (the Pask Option 1) and south of Craigieburn Road (as shown on the Peet Masterplan). It did not oppose the minor adjustments proposed by Porter Davis. The only contested aspect was the straightening of the diagonal section south of the LTC, which was opposed by Council.

The Committee considers that the Pask Option 1 delivers a superior outcome, for the reasons outlined by Mr Walsh and the United Syrian Orthodox Church. While it appreciates that the diagonal section had been designed to run between two local parks (LP-06 and LP-08) which contain a number of mature River Red Gums to be retained, the Committee is confident that a similar place making outcome can be achieved by running the road along the eastern boundary of these parks. There may be an opportunity to combine these two small local parks into one larger park, which provides further open space and place making opportunities.

The Committee notes Mr Walsh's recommendation that the PSP include a cross section for a connector street abutting a linear park. While it may seem unnecessary to have two dedicated cycle paths within a few metres of each other (one along the road and one in the linear park), these cycle paths may perform slightly different functions. Cycle paths along roads generally perform a predominantly commuter function, whereas cycle paths in parks can be more recreational. The VPA did not address this in detail, and the Committee does not have sufficient information before it to make a recommendation. The VPA should give this further consideration.

The Committee finds:

- The north south connector road should be realigned as proposed in the Pask Option 1, the Peet Masterplan and the Porter Davis submission, as proposed in the VPA's Part C changes.
- The VPA should give further consideration to the requirements for cycle and pedestrian paths in a connector street abutting a linear park, and whether a cross section is needed. See Recommendation 2.

3.6 East west connector through Parcels 6 and 7

(i) The issue

The issue is:

- the alignment of the east west connector off Mickleham Road that is proposed to run through Parcels 6 and 7.

(ii) Evidence and submissions

The Deague Group (Deague) requested the realignment of the east west connector so that it is entirely contained within Parcels 7 and 9 (owned by Deague) rather than crossing from Parcel 7 into Parcel 6 (owned by Stockland). Stockland opposed this alignment.

Mr Walsh gave expert traffic evidence for Deague. He considered that the Deague realignment would result in an easier delivery of the east west connector as it would be contained in parcels within the same ownership. He did not think it would have any material impact on the development of Parcel 6 (Stockland), as access to this parcel could still be achieved from the north south connector, a local street connection through Parcel 7, or an interim access to Mickleham Road (which he thought would be necessary in any event given the extended frontage of Mickleham Road between Mt Ridley Road and the proposed east west connector street). He noted that the exhibited alignment proposed a road frontage along the southern edge of Conservation Area 26 but considered that this could be achieved with a local access street.

Council's alternative Transport Network Plan shows the east west connector shifted further north into Parcel 6, to run along the realigned southern boundary of the Conservation Area (see road 'e' on Figure 6). Mr Walsh considered that this would be an acceptable outcome for the broader road network, but he did not consider it necessary.

Deague opposed Council's proposal to shift the east west connector north, as it would make development of its Parcel 7 contingent on Stockland constructing the north south connector or DoT agreeing to an interim access off Mickleham Road.

Stockland opposed all aspects of Council's alternative Transport Network Plan insofar as they affected its Parcels 4 and 6, submitting that Council's plan was unresolved and lacked a basis in evidence. While Mr Pelosi had endorsed the Council plan, he conceded in cross examination that he had only done a high level assessment and had not critically analysed it in detail.

(iii) Discussion and findings

The Committee agrees with Deague and Mr Walsh that the east west connector proposed through Parcels 7 and 6 should be realigned as proposed by Deague. It prefers the Deague alignment to that suggested by Council (road 'e' on the Council plan). Although Council's alignment would eliminate the need to cross Aitken Creek, the Deague alignment offers a number of benefits, without impacting on the performance of the road network:

- it will make the delivery of this important connection between Mickleham Road and the north south connector more straightforward (given the road will cross land in a single ownership)
- it will avoid Parcel 7 potentially needing interim access to off Mickleham Road, that would likely become redundant
- it does not preclude a 20 metre wide public road frontage to the southern boundary of the Conservation Area (as required under Requirement R30 in the PSP), although the road would have to be a local access street level 2 rather than a local access street level 1 to achieve the minimum width²⁸

²⁸ The cross sections in the PSP show that a local access street level 2 has a 20 to 21 metre wide cross section, while a local access street level 1 only has a 16 metre cross section.

- it is supported by Deague, and not opposed by Stockland (whereas the Council alignment is opposed by both).

The Committee finds:

- The east west connector through Parcels 6 and 7 should be realigned to traverse Parcel 7 only.

3.7 Intersection capacity

(i) The issue

The issue is:

- whether connector/arterial intersections along Mickleham Road are sufficient to cater for predicted traffic volumes.

(ii) Evidence and submissions

Ms Marshall (for Henley) considered that because of the limited number of connections to Mickleham Road north of Craigieburn Road, there would be increased traffic volumes on the east west connectors north of Craigieburn Road and through their intersections with Mickleham Road. Her evidence was that *“the concentration of traffic will result in the geometry of the VPA Benchmark intersection designs being inadequate to accommodate the interim traffic volumes anticipated”*.

She undertook an intersection analysis of IN-04 using SIDRA Intersection Software (SIDRA) to assess the performance of the intersection during the morning and afternoon peaks, based on the updated One Mile Grid modelling (in the Addendum). She noted that the One Mile Grid assessment did not include peak hour turning movements at this intersection, so she derived the turning movements by using data from the Mickleham Road/Craigieburn Road intersection in the Existing Conditions background report, and the traffic distribution and directional split assumptions outlined in the One Mile Grid assessment. She concluded:

The preceding table indicates that the projected traffic volumes exceed the capacity of the Benchmark intersection geometry and that the intersection is over capacity in both the AM and PM peak hours.

Therefore, the benchmark geometry is expected to be insufficient to accommodate the likely traffic volumes, based on the One Mile Grid modelling for interim conditions.

Her evidence was that the intersection (in its interim configuration) would need to be increased in size to accommodate the projected peak hour traffic volumes and operate safely and efficiently. She also noted that the daily traffic volumes on the other east west connector (through Parcels 6 and 7) and Elevation Boulevard are significantly higher than the east west connector through the Henley land in Parcel 17 and are therefore also unlikely to operate satisfactorily with the standard Benchmark geometry. She recommended that the road network in the northern portion of the PSP be reviewed.

The VPA responded that the benchmark designs are indicative only and should not be assumed to be the actual design. It submitted that the purpose of the benchmark designs is to confirm land take.

(iii) Discussion and findings

Ms Marshall's evidence that there will be increased traffic volumes on the east west connectors was supported by the revised traffic modelling in the One Mile Grid Addendum. The Committee notes her SIDRA analysis of Intersection IN-04, and notes that it may be the case that the VPA benchmark interim intersection designs are inadequate to safely and efficiently deal with the traffic volumes through this and other intersections with Mickleham Road.

However, the Committee is not persuaded that any change to the PSP is required. The VPA has advised that the benchmark intersection designs are used (at least at the PSP stage) to inform land take requirements, rather than to specify the design of the intersection. Land take requirements specified in the PSP are based on the ultimate intersection configuration, rather than the interim configuration. The Committee presumes that the ultimate configuration of intersections on Mickleham Road will be larger (and require more land) than the interim configurations. Provided that the VPA is satisfied that the land calculations for the ultimate intersections are accurate (which it should check), no changes to the PSP are required as a result of Ms Marshall's evidence.

The Committee finds:

- The VPA should check that the land take calculations for intersections with Mickleham Road specified in Section 2.4 of the PSP are accurate. See Recommendation 3.

3.8 Elevation Boulevard and intersection IN-05

(i) The issues

The issues are:

- the alignment of the Elevation Boulevard extension (including whether intersection IN-05 should be aligned with Cookes Road)
- signalisation of intersection IN-05.

(ii) Evidence and submissions

The exhibited alignment of the Elevation Boulevard extension shows the road running through Peet's Parcel 31, traversing the location of an existing dam, with intersection IN-05 located south of Cookes Road. The existing dam will need to be upgraded or replaced as part of the drainage works associated with the Gap Catchment (see Chapter 4.6).

Council's alternative Transport Network Plan realigns Elevation Boulevard so that the road sits to the north of the existing dam, and intersection IN-05 aligns with Cookes Road, creating a four way intersection rather than two T-intersections.

Council submitted that its alignment is generally supported by DoT, appears feasible when assessed in light of the Peet Masterplan, and there is no engineering reason associated with the dam that prevents this alignment. Council submitted that historically, it has always been the intent to align the Elevation Boulevard extension with Cookes Road, and that this will provide properties in Cookes Road (including the Tibetan Buddhist Society which regularly runs public events) with easier access to Mickleham Road, which is a benefit given the substantial additional traffic that the PSP will add to Mickleham Road.

Peet opposed Council's realignment of Elevation Boulevard and intersection IN-05, submitting that the road and intersection should be shifted further south to align with the northern boundary of Parcel 32 (the Porter Davis land). It submitted that:

- Cookes Road is a dead end road outside the Urban Growth Boundary servicing only 11 properties, and does not justify a four way signalised intersection
- Council's alignment would require the removal of nationally significant native vegetation²⁹
- Council had not presented any expert traffic evidence to explain why its alignment is preferable.

Porter Davis did not object to the Peet alignment, as long as the road and intersection remained fully contained within the Peet land.

Mr Walsh's evidence for Peet was that Peet's alignment of Elevation Boulevard and intersection IN-05 (along the northern boundary of the Porter David land) was acceptable. He provided no analysis of whether it was preferable to the exhibited alignment or Council's alignment. In cross examination, Mr Walsh indicated that an alignment with Cookes Road would work but could impact negatively on traffic flows on Mickleham Road by replacing the current unsignalised T-intersection at Cookes Road with a signalised four way intersection.

Peet also submitted that intersection IN-05 (in its preferred location south of Cookes Road) will require a non-standard design response due to traffic volumes, and that the description of intersection IN-05 in Table 4.1 (Precinct infrastructure table) should be amended to include "*Construction of a signalized T-intersection (non-standard)*".

DoT noted that Council's proposal to realign intersection IN-05 with Cookes Road would:

- meet spacing requirements (a minimum of 800 metre separation distance) between proposed signalised intersections at Craigieburn Road/Mickleham Road and Dunhelen Lane/Mickleham Road
- allow a signalised intersection to fully control access from Cookes Road to Mickleham Road, which would allow for improved safety and full turning movements
- require further consideration as to how any additional land to the west, if required, would be secured to provide a four way intersection.

The VPA supported Council's proposed realignment, noting that it is viable from a traffic and drainage engineering point of view, and preferable in terms of managing traffic around Cookes Road and in and out of the PSP. It noted that DoT could program the signalised intersection to give priority to the Mickleham Road through traffic, which should address Mr Walsh's concerns.

(iii) Discussion and findings

The Committee considers that Council's alignment of the Elevation Boulevard extension and intersection IN-05 has merit. The Committee notes that this alignment is supported by the VPA and meets DoT requirements relating to spacing of signalised intersections. While Cookes Road is a dead end street only servicing 11 properties (which would not ordinarily warrant a signalised four way intersection), DoT pointed to traffic management and safety benefits of a signalised intersection in this location.

The Committee was not persuaded that a four way signalised intersection would impact negatively on traffic flows in Mickleham Road, or the design of the drainage assets required to manage the

²⁹ Peet tabled a draft report by Biosis (Document 126) which identified patches of Plains Grassland and Natural Temperate Grassland and scattered trees in the Peet land and the Mickleham Road reserve in the vicinity of Council's proposed alignment.

Gap Catchment. Mr Mag (who provided expert stormwater evidence for Peet) clearly indicated in response to a question put by Council in cross examination that the realignment of Elevation Boulevard to the north would not present difficulties from a drainage engineering perspective.

Nor was the Committee persuaded that the possible presence of native vegetation is necessarily an impediment to Council's realignment. No evidence was called in relation to the Biosis report tabled by Peet in support of its submissions, and the veracity of that report was not tested. It may be possible to align the road and intersection to avoid patches of vegetation – this is a matter that would require further investigation.

That said, the Committee is cognisant that the Council alignment has not been fully investigated in terms of intersection design, land required for the construction of the intersection, or impacts on native vegetation. The Committee considers that further work is required (including further discussion with DoT about intersection design) before the PSP is amended to show the alternative alignment.

Table 4.1 in the PSP currently describes intersection IN-05 (and the other T-intersections along Mickleham Road) as 'Construction of a signalised T-intersection'. Peet did not provide any reasoning or evidence in support of its request that the intersection be described as 'non-standard'.

The Committee finds:

- While Council's proposed realignment of Elevation Boulevard and intersection IN-05 with Cookes Road has some merit, it is not satisfied that the alternative alignment has been sufficiently investigated and tested.
- The VPA should undertake further work, including discussions with DoT, to confirm that the Council alignment is appropriate before altering the PSP. See Recommendation 4.
- The Committee was not persuaded that the PSP should be changed to describe intersection IN-05 as a 'non-standard' signalised T-intersection.

3.9 Internal intersection treatments

(i) The issue

The issue is:

- intersection treatments around areas of high pedestrian activity.

(ii) Evidence and submissions

Council noted that the exhibited PSP showed eight roundabouts in the immediate vicinity of the schools in the southern part of the PSP, as well as roundabouts in the northern section in the vicinity of the LTC and school. Council proposed replacing roundabouts with signalised intersections at key intersections. It submitted:

Given the acknowledged difficulties created by roundabouts and pedestrians crossing roads, it is submitted that some consideration ought to be given to reducing the reliance on roundabouts in this area and introducing some traffic signals with pedestrian crossings. It is not being submitted that there ought to be 8 traffic signals but some key intersections should be converted to signalised intersections. Council's proposal is that there be three locations for traffic signals, two in the north and one in the south.

Council submitted that the cost of signalised intersections should be shared among land owners and included in the PSP (so that it can then be funded under the ICP) rather than being left to the permit process.

Mr Pelosi supported Council's position. His evidence was that replacing some roundabouts with signalised intersections will better accommodate pedestrians and cyclists in these high pedestrian and bike traffic areas.

Peet requested that the Transport Plan be amended to replace the 'controlled intersection' legend description with 'roundabout' for the intersections within Parcels 30, 31 and 34.

The VPA responded that the PSP simply nominates internal intersections as 'Controlled Intersections', which might be a roundabout, signage or a signalised intersection.

(iii) Discussion and findings

The Committee agrees with Council that there may be some benefit in signalising key intersections in high pedestrian traffic areas around the LTC and the schools in the southern portion of the PSP. The PSP notes these intersections as controlled intersections. It does not specify that they will necessarily be roundabouts. The Committee does not consider that any adjustments to the PSP are required to facilitate these intersections being signalised.

Further, the intersections which Council proposed be signalised are all intersections of local connector streets. The Ministerial Direction on ICPs³⁰ specifies the matters that can be funded from a standard levy under an ICP. It does not include connector to connector intersections. These cannot therefore be subject to shared funding under the future ICP and will need to be funded (and delivered) as developer works through permit applications.

Peet did not provide any explanation or evidence in support of its request that intersections within Parcels 30, 31 and 34 be designated as roundabouts on the Transport Plan. The Committee does not consider that the request has been justified.

The Committee finds:

- While Council's submission that internal intersections should be signalised in areas of high pedestrian activity has some merit, no changes to the PSP are required to facilitate this.
- The request to designate intersections within Peet's Parcels 30, 31 and 34 as roundabouts has not been justified.

3.10 Road network in the southern portion of the PSP

(i) The issue

The issue is:

- adjustments to the road network in the southern part of the PSP suggested by various submitters.

³⁰ Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans and Ministerial Reporting Requirements for Infrastructure Contributions Plans, 20 October 2016

(ii) Evidence and submissions

In addition to specifying key intersections as signalised as discussed in the previous section, Council proposed other changes to the road network in the southern part of the PSP (refer to Figure 6).

Council submitted that its alternative plan provides:

- clear priority routes to the east and south from Dunhelen Lane
- a more efficient series of road connections.

Mr Pelosi supported the Council alternative, concluding that in the southern section of the PSP it will help reduce traffic flows near the sensitive land uses (schools, community service land uses), provide safer road crossing opportunities and enhance active transport linkages into and out of the area.

(iii) Discussion and findings

The Committee was not persuaded that the exhibited road network in the southern portion of the PSP should be amended to reflect Council's alternative. No evidence was presented that demonstrated that Council's alternative would deliver manifestly superior outcomes, apart from Mr Pelosi's evidence. Mr Pelosi conceded in cross examination that he had not undertaken a detailed analysis of Council's alternative. Nor was any evidence presented that demonstrated that the exhibited layout would deliver unacceptable outcomes.

The VPA proposed minor adjustments to the road network in the southern part of the PSP in its Part C changes in response to:

- the Peet Masterplan
- a submission from Satterley Property Group Pty Ltd (Satterley) that the road alignments should be amended to connect into its internal road alignments in the True North Estate (for which a permit has issued and plans have been endorsed).

These are logical changes and the Committee supports them.

The Committee finds:

- Subject to minor adjustments as outlined by the VPA in its Part C schedule of changes to the PSP plans (Document 159(g)), the exhibited road network in the southern part of the PSP is acceptable.

3.11 Other transport issues

(i) Arterial road cross sections

Ms Remington submitted that the PSP should include a cross section of the ultimate configuration of Mickleham Road. Peet also submitted that it would be beneficial to include an ultimate cross section for both Mickleham and Craigieburn Roads, to ensure the appropriate design of intersections and internal subdivision design.

DoT opposed including an ultimate cross section for Mickleham Road on the basis that a cross section would need to be informed by further investigations that consider the broader corridor between Somerton Road and Donnybrook Road. A number of matters would need to be considered, including the location of existing and proposed infrastructure, the location of areas of ecological and biodiversity sensitivity, and the location of shared user paths. DoT did not address Peet's request for an ultimate cross section of Craigieburn Road to be included.

The Committee does not consider that it would not be appropriate for the PSP to include ultimate cross sections for Mickleham or Craigieburn Roads. The duplication of these arterial roads is a State responsibility. It is not infrastructure to be delivered under the PSP. The Committee notes DoT's submission that a number of matters require further investigation before an ultimate cross section for Mickleham Road could be developed. While plans for the duplication of Craigieburn Road appear to be more advanced, the Committee is not aware of whether ultimate cross sections have been finalised. In any event, the detailed design of intersections with arterial roads is a matter that can be addressed with DoT through the permit process.

The Committee finds:

- It would not be appropriate to include ultimate cross sections for arterial roads in the PSP.

(ii) Laneway cross sections

Peet submitted that the PSP should include a cross section for a standard laneway but did not explain why.

The Committee finds:

- Peet's request to include a cross section for a standard laneway was not justified.

(iii) Road crossings over green links

Requirement R7 in the PSP states that where a road crosses a linear park, development of the park must ensure that *"the road is raised (ie raised pavement treatment) with priority given to the linear park"*.

Hawthorn Developments owns or has an interest in Parcel 23, through which a green link traverses. It submitted that R7 is inflexible and unclear, does not acknowledge the road function, and could seriously impact on development layout and road design. It requested that this aspect of R7 be converted to a guideline.

The VPA provided examples of what it intends by R7 that show shared paths crossing roads with a raised pavement level, that gives priority to bicycle and pedestrian movement.³¹ The VPA submitted that this is a generally standard treatment. It agreed to make R7 more flexible, and provided the following alternative wording in the Part C changes:

Where a road crosses the linear park, measures to facilitate active transport priority must be investigated and where practicable, implemented to the satisfaction of the relevant authority.

The Committee supports the Part C wording and considers that this provides sufficient flexibility and clarity. It is not necessary to convert it into a guideline.

The Committee finds:

- The Part C wording of Requirement R7 dealing with roads that cross linear parks, is sufficiently clear and flexible. It should not be converted to a guideline.

³¹ VPA's Part C submission (Document 158) at Appendix B

(iv) Council’s road ‘f’

Road ‘f’ on Council’s alternative Transport Network Plan is a local access street that extends road ‘d’ (that runs along the Conservation Area boundary) south of the east west connector through Parcels 6 and 7. The plan indicates that this is to provide efficient neighbourhood access to the arterial road network as well as efficient connection to the neighbourhood to the north.

Stockland opposed road ‘f’, submitting that it is unnecessary, leads nowhere and does not appear to connect back into the local road network.

While the Committee appreciates Council’s efforts to ensure efficient internal connections between neighbourhoods within the PSP, it does not consider that the need for road ‘f’ has been sufficiently justified. Local road connections can be dealt with at the permit application stage.

The Committee finds:

- It does not support showing Council’s road ‘f’ on the Transport Plan.

(v) On-street parking

Ms Marshall’s evidence referred to a discrepancy between the requirements of the Planning Scheme and growth area councils’ expectations in regard to on-street parking. Clause 56.06 requires one space per two lots. Ms Marshall’s evidence was that this is ignored by most growth area councils, who generally require one space per lot. She provided a parking demand assessment demonstrating that based on car ownership rates in Hume, the demand is for 0.55 spaces per dwelling, which is very close to the one space per two lots required under Clause 56.06.

Ms Marshall considered that this needs to be addressed in this (and other) PSPs because:

- the typical council requirements set up an expectation that every house would have an on-street carpark outside its frontage, which can’t be achieved for smaller medium density lots with narrower frontages
- the overprovision of on-street parking impacts on the achievement of other objectives of the PSP such as tree canopy cover, increased density housing product, alternative street cross sections and increased landscaping
- the requirement encourages rear loaded product accessed via rear laneways, which further reduces the developable area and increases the amount of hard paved surfaces in the PSP.

She recommended that the PSP include a clear requirement for one space per two lots, which would strengthen the ability of developers to negotiate an on-street parking requirement of less than one space per lot.

The VPA did not address this issue in its Part C submissions.

While the Committee appreciates Ms Marshall drawing this issue to its attention, it was not persuaded that a specific requirement of one on-street parking space per two dwellings is justified. As Ms Marshall pointed out, this requirement is already specified in Clause 56.06. It would not be appropriate to duplicate requirements in the Planning Scheme. If growth area councils are, as Ms Marshall suggested, routinely ignoring Clause 56.06 and requiring double the amount of on-street parking, developers are able to seek a review of conditions in VCAT.

The Committee finds:

- It was not persuaded that a specific requirement should be included in the PSP for one on-street parking space per two dwellings, as this requirement is already specified in Clause 56.06.

(vi) New bus routes

The exhibited and Part A Transport Plans identify all of the connector streets as bus capable. Council's alternative plan added a number of local access streets and identified them as bus capable. Council also proposed upgrading Whites Lane to a bus capable local access street, which was supported by both the VPA and DoT.

Mr Pelosi supported Council's plan, indicating that the area is currently poorly served by public transport and that extensions of any of the three existing bus routes into the PSP would increase travel times to and from Craigieburn Station, making public transport into the central city a less attractive option. His evidence was:

The Council's proposed Transport Network Plan provides the basis for establishing two new bus routes to service the key internal destinations within the Craigieburn West PSP and then connecting, in 'express service' fashion, to the key external destinations (Craigieburn Central shopping centre and Craigieburn Station) via Craigieburn Road

DoT objected to any amendments to the Transport Plan where the basis of these amendments relates to establishing new bus routes within the PSP. It submitted:

The Department is the responsible authority for reviewing, implementing, and managing the delivery of bus services throughout the State. The Department supports the transport network as proposed, considering it suitable to ensure the future delivery of potential routes serving the PSP area. It is inappropriate that a PSP to make such provisions that may pre-empt the early delivery of such services and routes.

Both the VPA's Transport Plan and Council's alternative simply identify bus capable roads as a 'potential public transport route'. Neither establish new bus routes.

That said, the Committee was not persuaded that it would be appropriate to show additional local access streets as potential routes. The VPA's plan already identifies all connector streets as bus capable, with eight bus capable roads (and potential future bus routes) towards key destinations in the east including Craigieburn Station and Craigieburn Shopping Centre. While the VPA's Transport Plan is not dimensioned, based on the 400 metre walkable catchment it looks like all residential areas within the PSP would be within 800 metres of a bus capable road, and most would be within 400 metres. The need for further potential bus routes was not justified.

The Committee finds:

- It was not persuaded that including further potential internal bus routes in the PSP is justified.

4 Drainage and waterway issues

4.1 What is proposed?

The PSP is covered by the Aitken Creek Drainage Services Scheme (DSS), the Yuroke Creek DSS and what has been termed the Gap Catchment.

The VPA submitted that:

A DSS plans for the implementation of conventional major drainage infrastructure for the purposes of conveyance, flood protection, stormwater quality treatment and the protection of waterway health, to facilitate new development outcomes, primarily in a greenfield scenario. The conceptual design process for a DSS is based on the best available information at the time of creation.

The VPA added that most DSS works are developer funded and led and contributions to the scheme are calculated so that the expenditure over the life of the scheme is matched by the contributions. The DSS also has a reimbursement process for developers required to construct drainage scheme works. The VPA added:

A DSS is designed either before or in parallel with the preparation of a PSP, with the DSS preliminary layout confirmed prior to exhibition of a PSP or the PSP going out on public consultation.

Melbourne Water is the authority charged with floodplain management, drainage and river health, and is responsible for developing a DSS for the Aitken Creek and Yuroke Creek catchments. Council is the drainage authority for the Gap Catchment.

Aitken Creek DSS

Aitken Creek and the north east tributary form part of the Aitken Creek DSS. Aitken Creek is a headwater stream that rises in an agricultural landscape and flows in a south easterly direction, joining small tributaries before flowing through the suburban areas of Craigieburn to meet Merri Creek approximately 5 kilometres downstream of the PSP. The north east tributary is located near the eastern boundary of the PSP and connects to Aitken Creek near the Whites Lane crossing.

Yuroke Creek DSS

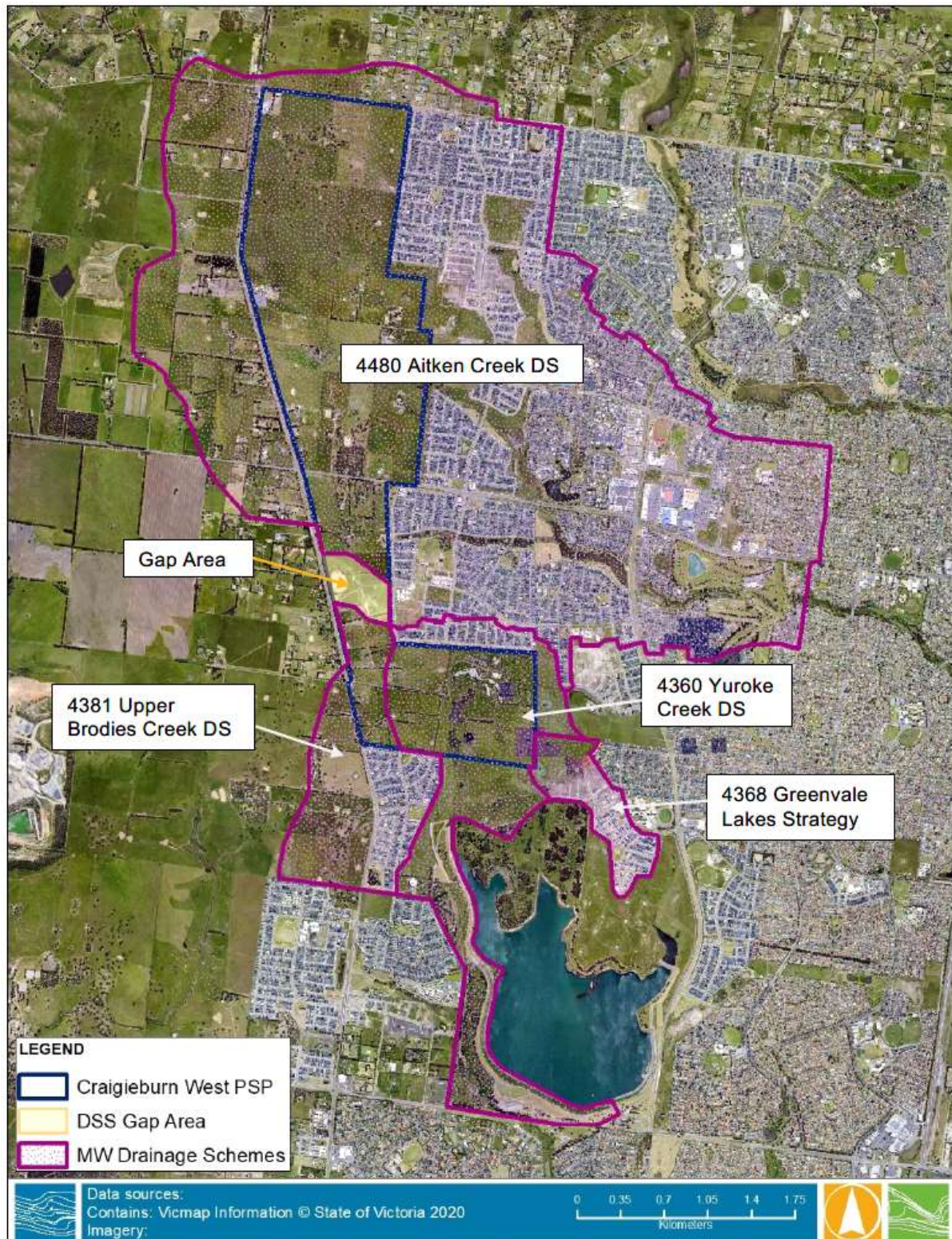
The Yuroke Creek DSS includes a retarding basin in the PSP and protective bunds in the Greenvale North PSP to protect the water quality in the Greenvale Reservoir, part of Melbourne's potable water supply. The 4368 Greenvale Lakes Strategy scheme does not cover the PSP area but abuts a section of the south-west corner.

Gap Catchment

The Gap Catchment is not part of the current DSS areas. It is about 14.5 hectares, and sits between the Aitken Creek and Yuroke Creek DSS areas. The Gap Catchment is located at the western edge of the PSP south of Craigieburn Road.

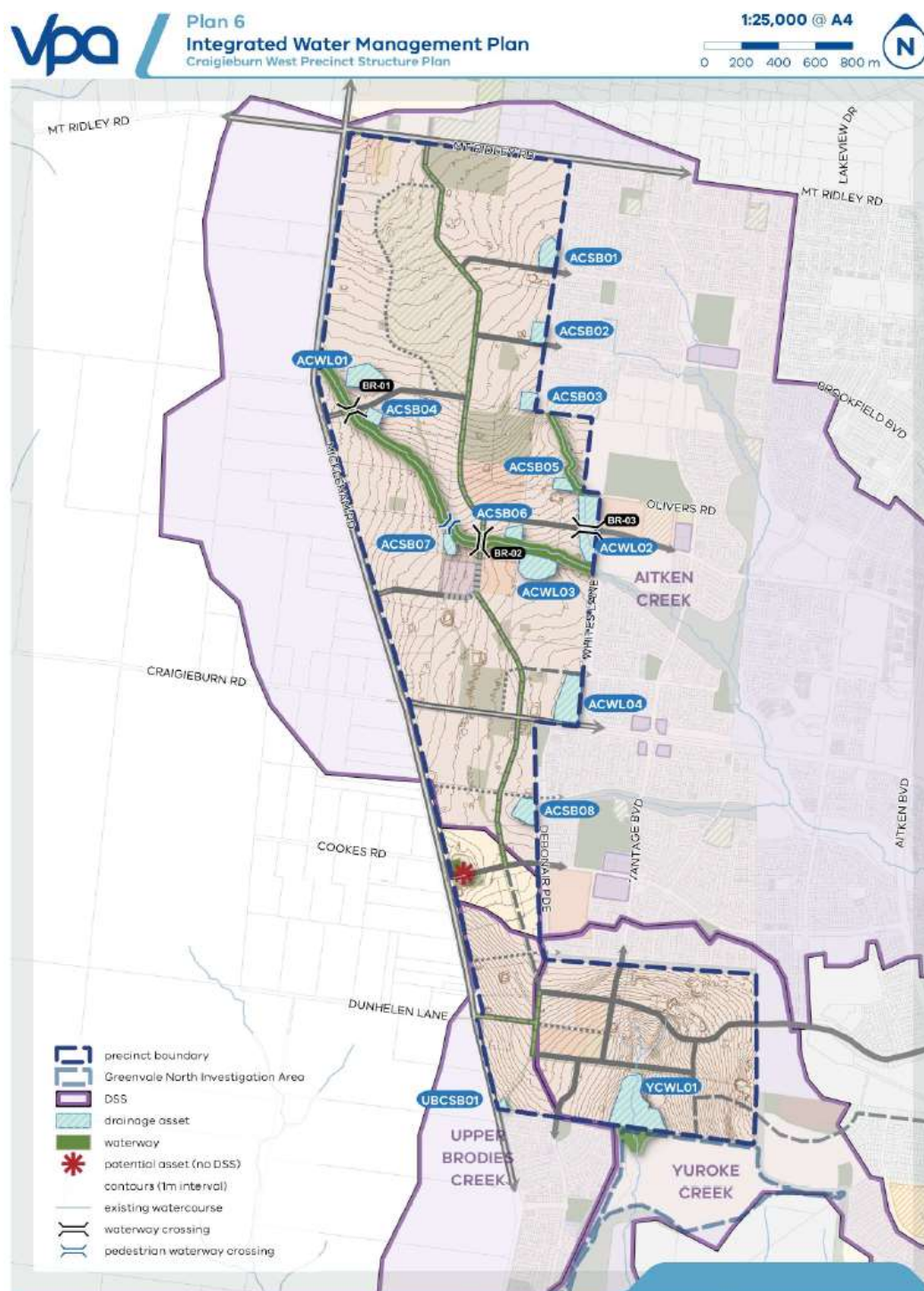
The location of the PSP and DSSs are shown in Figure 7. The Integrated Water Management Plan is extracted below in Figure 8.

Figure 7 Drainage Services Scheme boundaries



Source: Figure 6-4 in the evidence statement of Warwick Bishop (Document 38)

Figure 8 Integrated Water Management Plan



Source: Exhibited PSP

Part A and Part C changes

The Part A changes to the PSP include:

- the addition of the following note on Plan 6 (the Integrated Water Management Plan):
 Development within the area subject to the Yuroke DSS is reliant on the provision of protection assets outside of the control of the PSP.
- replacing several of the integrated water management requirements in the PSP with:

- R11 Stormwater conveyance and treatment (including interim solutions) must be designed generally in accordance with the relevant Development Services Scheme and Plan 6 to the satisfaction of Melbourne Water and the responsible authority, and to avoid or mitigate the risk of erosion from sodic and/dispersive.

Note: this may result in variation to the Melbourne Water DSS as shown on Plan 6.

- R12 The final layout and design of constructed wetlands, retarding basins, stormwater quality treatment infrastructure, and associated paths, boardwalks, bridges, and planting, must be designed to the satisfaction of Melbourne Water and the responsible authority, and include appropriate considerations to mitigate the risk of erosion from sodic and dispersive soils.

- R15 The design and layout of connector street network and open spaces (including linear links) must ensure the long-term viability of vegetation (especially existing mature River Red Gums) and optimise water use efficiency through the use of overland flow paths, stormwater harvesting and/or passive irrigation, and Water Sensitive Urban Design initiatives.

- editing the text of the last dot point of Guideline G29 to read:
 - Ensure that culverts and drains excavated into sodic and dispersive subsoils are capped with non-dispersive topsoil, gypsum stabilised and vegetated.
- insert the following additional dot point in G29:
 - Minor instream stabilisation to support pool and riffle structure and reduce risk of disturbance of reconstruction or erosion.
- corrections to the text of R16, G22, G25 and G29.

In its Part B submission, the VPA agreed to include an additional note on Plan 6:

The stormwater quality treatment assets are subject to refinement through detailed design, to the satisfaction of Melbourne Water and the Responsible Authority.

The Part C changes included two further changes to Plan 6, both relating to the Gap Catchment:

- replace 'potential asset (no DSS)' with 'drainage asset (no DSS)'
- remove the red asterisk on the plan and show a single drainage asset on Parcel 31.

4.2 Overarching issues

(i) The issues

The issues are:

- whether it is the Committee's role to recommend changes to the DSSs
- whether the PSP has sufficient flexibility to respond to changes to the DSSs
- the need for drainage assets forming part of the draft Yuroke Creek DSS to be delivered on land outside the PSP.

(ii) Evidence and submissions

Several submitters requested changes to the drainage assets shown on Plan 6, ranging from minor to quite substantial changes. These would in turn require changes to the DSSs. The VPA advised that Melbourne Water supported some changes requested by submitters but not others.

The VPA submitted that it is not the Committee's role to make recommendations on waterway design, and that changes to the DSSs are a matter for Melbourne Water, appropriately informed by technical reports. It added:

The whole of government submission is that the content of any amended DSS is a matter for Melbourne Water under the *Water Act 1989* (Vic). The VPA understands that these processes are underway. Technical waterway matters are accordingly not appropriate for consideration of the Committee which concerns a proposed amendment under the *Planning and Environment Act 1987*.

Melbourne Water submitted that the major elements of the DSS have influenced the urban structure of the PSP, but:

... the specific design assumptions and costings are determined in a process separate to the formal planning of this precinct.

Melbourne Water added:

Upon finalisation and gazettal of a PSP, Melbourne Water will ensure that the relevant DSS(s) still generally align with the expectations of the [Place Based Plan], as well as the objectives, guidelines and requirements of the PSP. Additional constraints (i.e. soil typology) and considerations (i.e. interactions with other infrastructure) raised through submissions to the Public Exhibition of the PSP and as expert evidence during the PSP Planning Panel hearing stage may trigger the need for additional design work or an engineering review of the DSS, which may take 12-18 months to complete.

Melbourne Water supported the additional note on Plan 6 proposed by the VPA in its Part B submission.

Deague proposed quite substantial changes to the Aitken Creek DSS and the Integrated Water Management Plan in the PSP. Deague submitted that whilst the Aitken Creek DSS was conceived in the early 2000s, it is under review and any changes to it may undermine the Place Based Plan in the PSP. It added:

This is not a matter that should be left to notations on a PSP plan or some flexibility in the language of the requirements or guidelines.

Deague argued that it did not seek a review of the DSS by the Committee but sought changes to the PSP to allow for the revision of the waterways and drainage infrastructure should Melbourne Water agree.

Mr Beardshaw gave drainage evidence for Deague. His evidence was that the draft revised Aitken Creek DSS (on which the Integrated Water Management Plan is based) and the VPA proposal to implement changes through the detailed design would not work:

... due to the fundamental disagreement of asset locations and function. Put simply, the basic engineering work has not been undertaken or fully considered at this stage.

He added that his alternative configuration of drainage assets and design should be enabled to provide *“flexibility in the PSP to advance the design”*.

The draft Yuroke Creek DSS will provide drainage infrastructure needed to facilitate the development of the Greenvale North PSP area as well as the southern part of the Craigieburn West PSP. The draft DSS requires a wetland (YCWL-01) to be constructed within the PSP area but also requires key infrastructure to be constructed outside the PSP area, within the Greenvale Investigation Area. This includes a bund to protect the Greenvale Reservoir located to the south of the PSP area.

The southern part of the Craigieburn West PSP (around 112 hectares, or 2,500 to 3,000 lots) will not be able to be developed until this external infrastructure is provided. Hence the VPA’s proposal to add a note on Plan 6 to this effect as part of the Part A changes. The VPA submitted that this process is uncommon in growth areas, with *“drainage catchments often covering only*

part of a PSP area or a DSS extending to more than one PSP.” It added that the central issue is one of timing.

The Committee asked whether temporary works could be constructed to allow the southern part of the PSP to be developed ahead of the Yuroke Creek DSS being finalised and the external infrastructure being delivered. Melbourne Water advised that:

Given the steepness of the catchment and potential velocities, it is likely that any temporary works would have to be similar in standard to the final product. Any temporary or staged works would add significant complexity in both delivery and scheduling, with the high probability of increased risks to the water quality within the Greenvale Reservoir. Melbourne Water would not accept any proposals that increase risk and would require the ultimate works, as proposed in the Yuroke Creek DSS, be completed prior to commencing construction activities associated with development in this catchment.

Satterley is developing the True North Estate in the Greenvale North PSP. A PSP is approved for True North Neighbourhood 3, and a planning permit has issued and plans have been endorsed. Neighbourhood 4 is yet to be rezoned, and a PSP has not yet been prepared.

The bund required under the Yuroke Creek DSS to protect Greenvale Reservoir is located on Satterley’s land within Neighbourhood 4, and wetland YCWL-01 is partly on Satterley’s land. The bund and wetland are part of the essential off-site infrastructure that must be delivered before development in the southern part of the Craigieburn West PSP can proceed.

Satterley submitted that its Neighbourhood 4 is an *“important piece of the puzzle”* in achieving the outcomes and objectives sought by the PSP. It has been in discussions with the VPA about rezoning and preparing a PSP for Neighbourhood 4 for over 5 years and has received no firm commitments as to its timing. Satterley urged the Committee to:

... consider the importance of the rezoning of this land and make any findings and recommendations as it may consider appropriate to encourage the rezoning of this land imminently so that the drainage infrastructure can be delivered and so too the delivery of the southern portion of the PSP.

(iii) Discussion and findings

Melbourne Water acknowledged that there are interim, preliminary and final stages in a DSS approval, and that the PSP was based on its preliminary DSS designs. The Committee accepts the submission of the VPA (supported by Melbourne Water) that changes to the DSSs are ultimately a matter for Melbourne Water to consider as part of a final detailed design of the DSSs.

Given that the final stage will occur sometime in the future, independent of the PSP process, the Committee agrees that some flexibility in the final form of the Integrated Water Management Plan is needed. The question for the Committee is how much flexibility is required and how it should be incorporated into the PSP.

Requirements R11 and R12, plus the addition of the note on Plan 6, identify that the detailed design may result in changes to the PSP’s drainage scheme, and that these changes are subject to the approval of Melbourne Water and Council. These requirements provide a reasonable level of flexibility, and appropriately reflect Melbourne Water’s central role in the development and approval of a DSS and Council’s role in the administration of the planning scheme.

In relation to the off-site drainage assets required under the Yuroke Creek DSS, the Committee agrees with the VPA that this is not an unusual situation in growth areas and is an issue of timing

and development sequencing. The Committee notes that development in the Greenvale North PSP has already commenced, and Satterley has indicated that it is committed to constructing the required drainage assets, although the timing of construction remains unclear. The Committee accepts that the VPA's proposal for a note on Plan 6 is an appropriate response. Making recommendations in relation to land in the Greenvale North PSP is beyond its Terms of Reference.

The Committee finds:

- The PSP needs some flexibility to respond to changes in the DSSs. The Part A changes to requirements and guidelines in section 3.3.1 (Integrated Water Management) of the PSP and the additional note on Plan 6 are an appropriate response.
- The Committee acknowledges that the southern part of the PSP will not be able to be delivered until Satterley constructs the drainage assets on its land in True North Neighbourhood 4, and that this is unlikely until the land is rezoned and a PSP is prepared. However, it is not within the Committee's remit to make recommendations about the timing of strategic planning for the True North Estate. In the meantime, the VPA's proposed note on Plan 6 in relation to the Yuroke Creek DSS is an appropriate response.

4.3 Headwater streams

(i) The issue

The issue is:

- whether Aitken Creek and the north east tributary (both headwater streams) should be natural or constructed waterways.

(ii) Evidence and submissions

Melbourne Water submitted that it is the *"caretaker of river health for waterways in the Port Phillip and Westernport region, and has a responsibility for the management of headwater streams"*. In addition, it has the function under the *Water Act 1989*:

To develop and to implement effectively, schemes for the use, protection and enhancement of land and waterways.

Melbourne Water submitted that Aitken Creek, as a designated waterway and headwater stream, should remain largely in its natural form and alignment. Some modifications may be necessary to ensure the creek can deal with the modified urban hydrology, and the 60 metre waterway corridor proposed in the PSP provides sufficient scope for these works. As part of this process Melbourne Water stated:

Further investigation will be required to measure thresholds for erosion potential and stream power, as well as bed grade assessments, to inform the site-specific design response. This more detailed work would be most appropriately undertaken in parallel with the functional design of the adjoining land-uses.

It submitted that headwater streams can be augmented to cope with the additional volumes and flows arising from the urban development of land in their catchments, while maintaining them in their natural alignment and largely natural form:

These modifications would likely include additional in-stream features, such as, rocky outcrops, riffles, pools, benching as well as other general enhancements, including revegetation of native vegetation cover within the bed and banks.

Dr Treadwell gave geomorphology evidence for Melbourne Water that headwater streams are critical in regulating the flow of water and nutrients to downstream waterways and have a large role in the retention and breakdown of carbon, nutrient cycling and sediment transport. His evidence was that maintaining the functional integrity of these waterways was critical in the role played by headwater streams in terms of managing flow, retaining nutrients and sediments and contributing to the maintenance of biodiversity.

Relying on the stormwater evidence of Mr Beardshaw, Deague submitted that maintaining a headwater stream in its natural form is impractical given the PSP will enable the urban development of the surrounding catchment:

This markedly changes the hydrology of the catchment.

Similarly, it is not a contest over the application of policy, objectives or guidelines. It is a matter of tackling the specific challenge that this particular headwater stream presents.

Mr Beardshaw's evidence was that whilst retention of headwater streams is an appropriate policy objective:

... the final engineering and conveyance of water through the catchment is a primary objective and needs to be considered within the context of this policy.

He said that consideration should be given to converting the headwater stream into linear green open spaces (swales) within the road reservations, as this could ensure the retention of the key values of headwater streams in an urban environment while allowing changes in the alignment of the creek.

The VPA submitted that the issue of maintaining Aitken Creek and the north east tributary in their natural alignments and largely in their natural forms and is a matter to be considered in the final design of the DSS, noting that the DSS and the PSP will need to work together in an integrated manner. The VPA added:

... this is addressed through the changes proposed by the VPA to include notes on the integrated water plan. It is convenient to note that when Mr Milner provided planning evidence for Deague, he readily agreed with this approach and agreed that amending the waterway later, for the Deague land, would not be problematic to delivery of the PSP given that the land holdings do not contain other precinct features.

JAK Investment Group Pty Ltd (JAK) submitted that many of the benefits of headwater streams can be maintained or improved as a result of a well-designed constructed waterway. It suggested that a constructed waterway could adopt a more natural long section and include pools and riffles along its length to encourage ponding and provide opportunity for improved infiltration.

(iii) Discussion and findings

The Committee accepts Dr Treadwell's evidence that headwater streams play a more significant role than drainage of a catchment. They play a role in the landscape, ecology, water quality and open space network, as well as the health of the downstream catchments.

Mr Beardshaw's view was that retention of headwater streams involves risk and cost. The Committee acknowledges that the development enabled by the PSP will significantly change the morphology of the catchment of the headwater streams. However, there are various mechanisms that can be applied to mitigate these changes. Dr Treadwell and Melbourne Water referred to a number of ways in which headwater streams could be augmented, for example by adding pools and riffles, to cope with the additional volumes and flows generated by the urban development of

the surrounding land. Melbourne Water provided the example of the downstream section of Aitken Creek in the Craigieburn R2 PSP which demonstrated that it is possible to retain headwater streams in close to their natural form while adequately servicing the drainage needs of the surrounding urban area.

While it is beyond the remit of the Committee to recommend one drainage design solution over another, the Committee considers that the retention of headwater streams in as close as possible to their natural form is a worthwhile objective, and one that is consistent with policy.

Nevertheless, that objective is subject to a range of considerations that will need to be assessed and balanced as part of the finalisation of the DSS. This process will determine whether Aitken Creek and the north east tributary will be retained as headwater streams or whether they can be converted into or replaced with constructed waterways. The note proposed on the Integrated Water Management Plan provides the flexibility for either outcome.

The Committee finds:

- The appropriate treatment of the headwater streams should be determined as part of the finalisation of the Aitken Creek DSS.
- The proposed amendments to the PSP provide sufficient flexibility to retain headwater streams as natural waterways, or to convert them to or replace them with constructed waterways.

4.4 Aitken Creek

Aitken Creek flows through Parcels 7, 8, 12, 14, 15 and 16 before it exits the Craigieburn West PSP and flows into Craigieburn R2. Deague owns or has interests in parcels 7, 9 and 15, and JAK owns or has interests in Parcel 8.

(i) The issues

The issues are:

- whether the northern section of Aitken Creek should be realigned along Mickleham Road
- creek corridor width
- location of associated drainage assets.

(ii) Evidence and submissions

Relying on Mr Beardshaw's evidence, Deague submitted that the main channel of Aitken Creek should be realigned closer to Mickleham Road to enable the waterway to deal with the increase in storm water flow and to simplify the development of the surrounding residential land. Deague submitted that a considerable section of the creek will need to be constructed in any event which will provide an opportunity to realign the creek.

Mr Beardshaw's evidence was that Aitken Creek in its natural form represents a high risk of scouring of the channel and ongoing problems of erosion. He reached this conclusion based partly on the *Aitken Creek Waterway Values Assessment Final Project Report*, December 2020 by Jacobs. In his assessment, the waterway needed to be constructed and could therefore be relocated along with other drainage assets to achieve a more efficient development outcome.

JAK submitted that the drainage corridor that runs through its Parcel 8 should be a constructed waterway and the width of the waterway reduced from 65 metres to 45 metres with localised

widening to allow for the retention of areas of ecological value. JAK agreed that the Part A changes had introduced some flexibility in the PSP to accommodate changes to the DSS, however:

... without agreement on some specific aspects of the PSP dealing with drainage matters, (specifically waterway width and whether part of the corridor will be either a natural or constructed waterway), there are flow on effects for other parts of the PSP which create interpretation difficulties moving forward.

Dr Treadwell's evidence was:

Narrower corridor widths and/or substantial modifications to the current stream geomorphology, for example in the form of a constructed waterway, may also introduce a range of risks including direct connection to groundwater, exposure of sodic soils, initiation of erosion and downstream transport of sediments, and the conversion of an ephemeral stream to a permanently flowing stream with consequent impacts on downstream hydrology and nutrient transport.

(iii) Discussion and findings

The Committee acknowledges that, given that Aitken Creek is an existing waterway, its primary function in the PSP is to provide drainage. However, the creek reserve also accommodates a shared path, and provides open space and habitat. Its role in the PSP is more than just the provision of drainage. It also has a significant role in maintaining water quality in downstream catchments as discussed in the previous section.

The Committee has been presented with two opposing views regarding Aitken Creek. Mr Beardshaw's evidence is that a constructed water would be more efficient in dealing with the increased flow resulting from the development of the PSP. Dr Treadwell's view is that Aitken Creek, with minor modification and augmentation, could deal with this increased flow and provide downstream benefits.

The Committee is not in a position to determine whether one view should be preferred over the other. As stated in the previous section, ultimately the form and alignment of Aitken Creek and the related drainage assets will be determined by the final DSS. More than likely the DSS will be finalised sometime after the PSP. What is important is to ensure the PSP has sufficient flexibility to accommodate either a largely unmodified Aitken Creek in its current alignment as proposed, or a constructed waterway in which case changes to the alignment could be contemplated. As stated previously, the Committee is satisfied that the Part A PSP provides sufficient flexibility.

In relation to corridor width, the Committee does not accept JAK's submission that the width should be reduced. Dr Treadwell's evidence made it clear that it is important to maintain sufficient corridor width to protect water quality values in the creek and provide room for any modification and augmentation that may be required to allow the creek to cope with the increased volumes and flow rates. It was not persuaded that a narrower corridor of 45 metres would be sufficient.

The Committee finds:

- It is not persuaded that the alignment or corridor width of Aitken Creek should be altered at this stage.

4.5 North east tributary

The north east tributary runs through Parcels 11 (Deague) and 16 (Frances and Norman Baker).

(i) The issues

The issues are:

- whether the north east tributary should be removed or realigned
- creek corridor width
- location of associated drainage assets.

(ii) Evidence and submissions

Deague submitted that the north east tributary should not be retained as a waterway given the future urban development of the surrounding land. Deague recommended that the north east tributary be deleted altogether, or that the PSP incorporate wording that allowed an alternative drainage scheme with the approval of Melbourne Water and the responsible authority.

Mr Beardshaw's evidence was that the north east tributary is a "*high risk engineering proposal*", that does not align with Melbourne Water's sodic soil recommendations. He stated that:

The flows from this catchment have been incorrectly calculated and do not meet the hydraulic criteria for a waterway.

He added that given Melbourne Water's strategic objectives for headwater streams, unless all development proposals were removed from this catchment to maintain the headwater stream, it should be replaced with a piped or highly engineered waterway through this area. Mr Beardshaw's evidence was that given the relatively steep slopes in this part of the PSP, the 45 metre corridor does not provide for either option and either should be reduced in scope or completely removed and a piped option considered. He also considered that the retarding basins along the north east tributary, which are not located at the bottom of the hill, were incorrectly and illogically designed and located.

Frances and Norman Baker submitted that the significant land take on their property for drainage assets and open space (including the north east tributary and wetland ACWL-02) was excessive and will constrain future development opportunities. They added that it was inappropriate for the PSP to be adopted until details of the land take had been finalised.

Melbourne Water submitted that small headwater streams like the north east tributary play an important role in the protection of waterway health, and that the alternative drainage scheme proposed by Deague did not:

... consider the broader environmental and community benefits associated with retaining headwater stream and the natural waterway form as greenfield precincts transition from farmland to urban development. Instead, much of the analysis exclusively focuses on the role of waterways as a method of conveyance.

Melbourne Water submitted that although the north east tributary is an existing natural waterway that would normally require a minimum 20 metre setback on both sides of the banks, some restoration and reshaping is likely to be required.

Consequently, the metric used for constructed waterways of 45 metres has been used for the minimum corridor extents.

It also submitted that the Aitken Creek DSS proposes online stormwater quality treatment wetlands along the south end of the tributary near the confluence with the main branch of Aitken Creek (ACWL-02).

(iii) Discussion and findings

The discussion about Aitken Creek applies equally to the north east tributary. It is not the Committee's role to recommend one drainage design proposal over another. Rather, it is the Committee's role to ensure that, given the interim design of the current Aitken Creek DSS, sufficient flexibility exists in the PSP to accommodate agreed changes.

The Committee finds:

- It is not persuaded that the alignment or corridor width of the north east tributary, or the location or dimensions of retarding basins along it, should be altered at this stage.

4.6 Gap Catchment

The Gap Catchment generally runs through Parcels 31 to 34, which are owned by Peet and Porter Davis.

(i) The issues

The issues are:

- the drainage solution for the Gap Catchment
- whether the boundaries of the Gap Catchment and neighbouring DSSs should be adjusted.

(ii) Evidence and submissions

Peet retained Michael Mag of Stormy Water Solutions to develop a Stormwater Management Strategy for the Gap Catchment. The Strategy proposes altering the catchment boundaries by regrading sections of Peet's land with the explicit intent of minimising the area of the Gap Catchment, which is presently around 19.5 hectares. The Stormy Water Solutions Strategy would enable 6.9 hectares to move into the Aitken Creek DSS and 0.4 hectares to move into the Upper Brodies Creek DSS. These changes would enable the provision of a single retarding basin located on Peet's Parcel 31 to service the Gap Catchment, with a smaller land take. The retarding basin would be located generally where there is an existing dam. Mr Mag recommended this approach as the preferable way of servicing the Gap Catchment's hydrological requirements.

Porter Davis informed the Committee that it had reached agreement with Peet in relation to the Stormy Water Solutions Strategy, including the 'single asset solution' to service the Gap Catchment.

Mr Wiese gave drainage evidence for Porter Davis. He supported the proposal by Mr Mag, and noted that the single asset solution not only minimises the necessary land take, but also reduces construction costs and minimises the maintenance burden for Council.

Council (who will be the responsible drainage authority for the Gap Catchment and will take ownership of the retarding basin) supported the Stormy Water Solutions proposal. It recommended that the following Requirements be added to the PSP:

Within the area not covered or able to be serviced by a Melbourne Water Drainage Services Scheme, only one stormwater retention asset is to be provided generally in accordance with Plan 6 and Table 4.2.

The stormwater retention asset in the area not covered by a Melbourne Water Drainage Services Scheme must be provided at the same time as the subdivision of properties 31,32, 33 or 34.

Warwick Bishop gave drainage evidence for Council. He also supported the single asset solution, noting that:

A single water treatment asset in the gap catchment is likely to be the most efficient and cost-effective means of managing stormwater.

Melbourne Water was “*generally supportive*” of the prepared by Stormy Water Solutions proposal, including the changes to the DSS boundaries.

The VPA supported the single asset solution, noting that the evidence has demonstrated that it is both achievable and more efficient. It proposed that it be reflected in the Place Based Plan and Integrated Water Management Plan. The VPA did not agree to Council’s proposal for additional requirements on the basis that the matters were already covered the VPA’s revised requirements.

(iii) Discussion and findings

There is general agreement that the Stormwater Management Strategy developed by Stormy Water Solutions is an appropriate mechanism to reduce the size of the Gap Catchment and the drainage assets required to service it. This will require the adjustment of the Aitken Creek and Upper Brodies Creek DSS boundaries. The Committee supports these changes. Although the VPA and Melbourne Water supported the change to the DSS boundaries, it is not shown on the VPA’s schedule of Part C proposed plan changes (Document 159(b)), so the Committee has made a recommendation to this effect.

The VPA rejected Council’s proposed additions to the PSP’s integrated water management requirements on the basis that they were covered by the Part A revisions to R11 and R12, the inclusion of a single 1 hectare retarding basin in the Gap Catchment, and the proposed updates to the Place Based Plan and Integrated Water Management Plan. It also noted that revisions would be needed to Table 3 (Water Infrastructure), Table 1 (Land Use Budget Table) and Appendix 4.2 (Parcel specific land use budget table).

The Committee does not agree with this assessment. While Plans 4 and 6 and Tables 1 and 3 may be revised to show only one asset, the Council’s first proposed requirement makes that explicit, and provides greater clarity. Council’s second requirement provides for a timeline for the provision of the asset, which the VPA’s revised requirements do not. The Committee believes the changes proposed by Council are appropriate.

The Committee finds:

- The Stormwater Management Strategy developed by Stormy Water Solutions and proposed by Peet, including the revised DSS boundaries and the single asset solution for the Gap Catchment, is appropriate.
- The Council’s two requirements should be added to Section 3.3.1 Integrated Water Management of the PSP.

5 Walkable catchment and density

5.1 What is proposed?

The exhibited walkable catchment is extracted in Figure 9.

Figure 9 Walkable catchment



Source: Exhibited PSP

The exhibited PSP proposed:

- minimum average housing densities (in Guideline G7 and Table 2) of:
 - 18.5 dwellings per Net Developable Hectare (NDHa) within the walkable catchment
 - 26.5 dwellings per NDHa outside the walkable catchment.

The Part A version proposed:

- a change to the walkable catchment boundary so that the first row of residential lots along Mickleham Road (around 90 metres inboard from Mickleham Road) sits outside the walkable catchment (allowing development at the standard density)
- no change to housing density requirements (although the Part A submission indicated density requirements were under review).

The Part C version proposed:

- further refinements to the walkable catchment boundary to extend it further north and south (to include open space and community facilities) but with no change to the overall area
- modified densities (foreshadowed in the Part B submission) of:
 - 25 dwellings per NDHa within the walkable catchment
 - 19 dwellings per NDHa outside the walkable catchment.

5.2 Relevant policies, guidelines and studies

Plan Melbourne sets an objective to achieve densities in growth areas of more than 20 dwellings per NDHa over time. Outcome 5 is to create a series of 20 minute neighbourhoods.

Clause 11.03-2S of the Planning Scheme includes the following strategy:

Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.

The Precinct Structure Plan Guidelines (PSP Guidelines) were prepared by the Growth Areas Authority (now VPA) in 2009 and guide the preparation of PSPs in growth areas. The PSP Guidelines:

- define a walkable catchment as “*within 400 metres of a neighbourhood activity centre, or 800 metres of a principle or major activity centre*”
- include Standard S1 which contemplates:
 - residential densities of an average of 15 dwellings per NDHa across a PSP
 - ‘high density’ within a town centre and ‘medium density’ within a walkable catchment
 - opportunities for medium or high density close to public transport stops, community facilities and open space
- include Standard S2 which contemplates varied densities and housing types across a PSP
- include Standard S3 which states that a PSP can identify opportunities for social and affordable housing in and around town centres.

New consultation draft guidelines for the preparation of PSPs have been released but not yet adopted. The draft guidelines refer to average densities of 20 dwellings per NDHa across a PSP, and densities of 30 or more dwellings per NDHa within an 800 metre walkable catchment of an activity centre, train station and the like.

5.3 Walkable catchment boundaries

(i) The issue

The issue is:

- the alignment of the walkable catchment boundaries.

(ii) Evidence and submissions

Henley’s land (Parcel 17) has frontage to Mickleham Road, is located almost entirely within the walkable catchment, and is designated for residential development. An east west connector runs through the land connecting Mickleham Road to the LTC which is located on the neighbouring parcel owned by Hawthorn Developments.

Henley called planning evidence from Jonathan Fetterplace, who addressed the walkable catchment boundaries in detail. He was critical of the radial nature of the walkable catchment and considered that it did not represent a context or policy responsive approach. He pointed to several examples of other recent PSPs which almost all had irregular walkable catchments defined by physical constraints such as topography and waterways, land use connections, and access to key features of a 20 minute neighbourhood such as town centres, employment opportunities and public transport. He presented an alternative more linear walkable catchment which is extracted in Figure 10, which was supported by other experts and submitters including Pask.

Figure 10 Fetterplace alternative walkable catchment



Source: Figure 11 from Mr Fetterplace's expert witness statement (Document 31)

Mr Fetterplace considered that his alternative:

- is more responsive to the clear north south linear structure of the PSP and connection between features such as schools and parks
- reflects the linear alignment of future public transport and active transport routes and linear open space reserves, consistent with the vision of the PSP and 20 minute neighbourhood principles
- would better support the viability of the LTC, mixed use area and public transport network
- maximises density provision in and around the LTC and key nodes of the planned urban structure
- is more appropriate given the absence of major employment generating uses in and around the LTC
- provides a better response to the sensitive low density landscape character of the Green Wedge land to the west of Mickleham Road.

In relation to the last point, Mr Fetterplace considered that a more substantial setback to Mickleham Road was required than the 90 metres proposed in the Part A changes, to “manage the

transition between the low density character and landscape values to the west”, as it would allow for larger lot sizes, more landscaping opportunities and less hard paved surface along the Mickleham road interface. He considered that standard densities should extend along the east west connector frontage further than 90 metres, as this would be a more sympathetic transitional response to the Green Wedge interface at Mickleham Road.

Henley submitted that Mr Fetterplace’s walkable catchment boundaries were more comprehensively planned and deliver a more nuanced outcome having regard to the planned strategic context. It submitted that of the walkable catchment attractors, only non-active open space is routinely delivered as the dwellings are constructed. Open space is the ‘opener’ that provides up front amenity for residents (particularly of medium density housing) in advance of other attractors such as the LTC and schools that typically take longer to deliver. It was therefore appropriate to orient the walkable catchment around open space, as Mr Fetterplace had done.

The VPA did not disagree that a more linear north south orientation to the walkable catchment has merit. However, it opposed the extent of the westerly retraction proposed by Mr Fetterplace. The VPA submitted that ordinarily the most important attractor for a walkable catchment is the LTC (which Mr Fetterplace conceded in cross examination) and strongly opposed the walkable catchment only extending 130 metres west of the LTC:

The VPA does not consider it logical that a town centre as the principal driver of amenity in the area should have the lowest priority in terms of walkable catchment – it just doesn’t make sense and is not a suitable outcome ...

The VPA challenged Mr Fetterplace’s assertion that some 300 metres was required as a transition from the Urban Growth Boundary to the walkable catchment. It submitted that 90 metres will provide a sufficient transitional edge and noted that this was supported by the planning evidence of Mr Milner.

The Universal Syrian Orthodox Church site (Parcel 25) is located to the east of the LTC and school and is almost entirely within the walkable catchment. It expressed some concern in relation to Mr Fetterplace’s proposal to retract the eastern boundary of the walkable catchment, noting that it may have implications for the Church’s proposal to establish community based uses on the site. It noted that the applied zone within the walkable catchment is the Residential Growth Zone (RGZ), whereas the General Residential Zone (GRZ) applies outside the walkable catchment. The land uses and permit requirements vary between the two.

(iii) Discussion and findings

None of the planning witnesses opposed the concept of a walkable catchment. The dispute related to how and where its boundaries should be drawn, and what densities should be required within the walkable catchment.

The experts generally agreed that there are five separate attractors for establishing a walkable catchment:

- the LTC
- the public transport network
- community facilities
- open space
- schools.

Both the VPA's radial 400 metre catchment and Mr Fetterplace's more linear catchment respond to the location of these attractors, but on balance the Committee considers that a more linear orientation is appropriate, as it includes more of the open space, schools and public transport route along the north south connector.

The Committee agrees with the principle that the Mickleham Road frontage should be developed at standard rather than medium density, as this will provide a better transition from the Green Wedge land to the west of Mickleham Road. However, it does not accept Mr Fetterplace's evidence that standard density development needs to extend beyond the first row of residential lots. Mickleham Road will ultimately be a six lane arterial road, which will unavoidably provide a relatively 'hard edge' to the Urban Growth Boundary. Views into the PSP from ground level on the other side of Mickleham Road will not extend beyond the first row of houses and the landscaped Mickleham Road interface.

The Committee considers that the walkable catchment around the LTC should be maximised, and the western boundary should extend to 90 metres inboard from Mickleham Road. This is consistent with 20 minute neighbourhood principles and principles in the PSP Guidelines that direct higher density housing in and around town centres.

The Committee agrees with the VPA that the area of the elongated walkable catchment should include as much residential land as the exhibited radial walkable catchment. The northern and southern extents of the walkable catchment should be determined accordingly.

The Committee sees no need to retract the extent of walkable catchment on the Universal Syrian Orthodox Church site (Parcel 25). In the event the VPA disagrees, the Committee explores the implications of a change in the underlying zoning in Chapter 8.6.

The Committee finds:

- The walkable catchment boundaries should extend:
 - west of the LTC to a distance of 90 metres inboard from Mickleham Road
 - north and south around the schools and open space as far as necessary to achieve the same area of residential land within the elongated walkable catchment as is contained in the radial 400 metre walkable catchment.
- The Committee sees no need to retract the extent of walkable catchment on the Universal Syrian Orthodox Church site (Parcel 25).

5.4 Dwelling densities

(i) The issue

The issue is:

- whether the proposed densities are appropriate.

(ii) Evidence and submissions

Several submitters thought that the dwelling densities specified in the exhibited PSP were too high.

Mr Fetterplace noted that the PSP Guidelines provide for average densities of 15 dwellings per NDHa. His view was that the target in Plan Melbourne of an average of 20 dwellings per NDHa was to be achieved 'over time', and the move to average densities of 20 should be incremental, to allow the industry time to develop more diverse and affordable housing products that meet the

market requirements. He acknowledged that the new draft PSP guidelines include higher density targets, but considered that it would be *“premature and inappropriate to give weight to the draft Guidelines at this stage”*.

Mr Fetterplace provided a comparison of the density provisions in other recent PSPs, which ranged from 15 to 18 dwellings per NDHa outside the walkable catchment, and from 17 to 25 within the walkable catchment. Shenstone Park and Beveridge North West both included densities of 25 in the walkable catchments, but Mr Fetterplace noted that (unlike Craigieburn West) those PSPs include substantial amounts of employment land. He considered Pakenham East a more suitable comparison, which has a density of 22 dwellings per NDHa within the walkable catchment.

Mr Fetterplace pointed to some of the disbenefits of setting density requirements too high:

- greater coordination between State and local government and utility providers is required to understand the implications of increased densities for traffic and car parking requirements, amenity and urban character outcomes and landscape and sustainability concerns including managing the urban heat island effects
- higher density requirements result in smaller lot sizes and limited delivery of other housing typologies such as integrated housing and apartment developments
- ‘knock-on’ effects include reduced private open spaces, reduced landscaping opportunities (including canopy trees on private and public land), reduced building setbacks, increased hard paving, and more vehicle crossovers and rear laneways, that can negatively impact urban character and the cost of development (and therefore housing affordability)
- the market may not be ready to accept these densities in growth areas
- higher density outcomes may not be viable in the absence of retail and community services, noting that the LTC is a lower order centre and may not be delivered for some time.

He considered that the PSP should set an overall average density up to 20 dwellings per NDHa, with a range of 22 to 25 within the walkable catchment and 17 to 18 outside the walkable catchment. He considered that this would be consistent with other recent and comparable PSPs.

He also recommended including a note to Table 2 consistent with the Beveridge North West PSP:

Note: The minimum average density provides guidance regarding the expected quantum of housing to be delivered within a development area. Applications for subdivision that do not meet the minimum average density but can demonstrate how the requirement will be achieved over time may be considered.

Pask (through submissions and planning evidence from Andrew Clarke) raised similar issues to Henley and Mr Fetterplace. It opposed the revised density requirement of 25 dwellings per NDHa hectare within the walkable catchment (outside the LTC or mixed use areas), and submitted that a target of 22 was more appropriate. It submitted that overall densities of 20 dwellings per NDHa across the PSP could still be achieved by encouraging higher densities around key open space.

Pask submitted that the policy seeking average densities of 20 dwellings does not apply to a particular growth area or PSP, but rather applies across Melbourne’s growth areas. It submitted that densities in a particular PSP should consider the specific circumstances, including proximity to the Urban Growth Boundary, the employment and activity centres to be delivered within the PSP and the provision of public transport. These features of Craigieburn West called for lower densities.

Pask submitted that density targets in a PSP needed to be flexible so that developers are able to deliver viable densities that respond to evolving market demand for housing types over time. It submitted:

The market research undertaken by the Pask Group is that the major demand in the northern greenfields remains at lot sizes between 350sqm to 450sqm which equates to a density of 15-20 dwelling per hectare. In the absence of large drivers for density such as a train station or large activity centre, in the short to medium term densities of 25 dwellings per developable hectare will not be viable nor responsive to market demand in this location and fails to have regard to the size and nature of the proposed Local Town Centre.

Mr Clarke's evidence was that the densities should reflect the PSP's location at the edge of the Urban Growth Boundary, where lower densities are expected. He considered that 22 to 23 dwellings per NDHa would be an appropriate density within the walkable catchment, which should be applied flexibly (in a non-mandatory control). He considered that a density of 25 was too high as there is insufficient market demand for this type of housing product in this location.

The Universal Syrian Orthodox Church raised similar concerns in relation to the densities proposed within the walkable catchment, submitting that a discretionary target of 22 dwellings per NDHa should apply. It noted:

- apart from the proposed bus routes, the medium density housing areas are located in an area where public transport services are relatively scarce
- the policy directions of Clause 11.03-25 should not be applied slavishly and should only guide the strategic planning of different growth areas in a manner that recognises the physical attributes and strategic opportunities of each precinct
- this precinct does not perform at a higher level in terms of its strategic and physical attributes to warrant a higher density.

(iii) Discussion and findings

The Committee supports the PSP specifying higher densities within the walkable catchment. This is consistent with:

- the PSP Guidelines
- 20 minute neighbourhood principles
- general policy objectives directing more housing to locations that are close to services and amenities such as town centres and community facilities, and are well serviced by public transport, schools and open space
- general policy objectives that encourage housing diversity.

No submitter or expert took issue with this as a general principle. Rather, the dispute was around what numbers are appropriate.

One of the key rationales for opposition to the VPA's revised density of 25 dwellings per NDHa within the walkable catchment was 'market readiness'. In other words, whether there is market demand for medium density product in growth areas, particularly at the outer edge of the Urban Growth Boundary.

No evidence was led in relation to market demand (or lack thereof) for medium density product in growth areas. That said, the Committee is cognisant that the submitters include developers who are experienced operators in growth areas. It also notes that Mr Fetterplace has several years' experience working inhouse at developer Dacland Pty Ltd, which the Committee understands has

experience in delivering growth area developments. Mr Clarke on the other hand acknowledged in cross examination that he has no expertise in the housing market.

On balance, the Committee was not persuaded that there is any reason to distinguish between this PSP and other PSPs in the northern growth corridor in terms of density. Both Shenstone Park and Beveridge North West PSPs have densities of 25 dwellings per NDHa within their walkable catchments (although the densities were not contested in either of those PSPs). The Committee acknowledges that both those PSPs have higher employment targets than Craigieburn West. However, while Craigieburn West might not have significant employment generating potential within the PSP itself, it is not too distant (within 15 to 20 kilometres) from other significant employment centres including Merrifield (with a projected 30,000 jobs) and Shenstone Park (with a projected 4,500 jobs).

Further, the Committee observes that:

- Shenstone Park is in a similar context to Craigieburn West in that it sits at the edge of the Urban Growth Boundary
- Craigieburn West is within 3 to 6 kilometres of Craigieburn Central, which is a Major Activity Centre, and 6 kilometres of Craigieburn Station
- the Committee observed on its site visit medium density development in nearby estates including Craigieburn R2 and estates to the south along Mickleham Road, suggesting that there is at least some market for this product in this area.

The Committee notes submissions calling for more flexibility, including requests to convert the density requirements into guidelines and Mr Fetterplace's recommendation to include a note on Table 2 similar to that included in the Beveridge North West PSP.

Some flexibility is already provided for. The Committee considers that minor variations from the density targets, provide they were adequately justified, would still be 'generally in accordance with' the PSP. Converting the density requirements into guidelines would be at odds with the approach taken in recent PSPs including Beveridge North West and Shenstone Park. The Committee could find no reference to the note referred to by Mr Fetterplace in either the exhibited Beveridge North West PSP or the Panel's report. In the absence of evidence demonstrating that the proposed minimum densities are unviable, the Committee was not persuaded that a different approach is justified here to that taken in recent PSPs in similar (albeit not identical) circumstances.

The Committee notes the risks highlighted by Mr Fetterplace of specifying densities that are too high. The Committee is confident that the PSP and the Planning Scheme more broadly provide sufficient guidance to ensure good urban design and housing diversity outcomes are delivered through the permit process. The traffic implications have been considered based on the exhibited densities (which have since been revised down) and found to be broadly acceptable.

The Committee finds:

- It was not persuaded that the revised (Part A) densities proposed by the VPA are too high or should be made discretionary.

6 Trees and open space

6.1 What is proposed?

The PSP provides for:

- 118 hectares of encumbered and unencumbered open space (21 percent of the total PSP area, and 28.5 percent of the net developable area)
- two local sports reserves, co-located with schools or community facilities
- a network of 16 local parks and 12 green links, co-located with encumbered open space (drainage reserves and the Conservation Area).

The PSP seeks to integrate the significant areas of vegetation and biodiversity into the future urban landscape and open space network, integrate community facilities with open space and deliver open space that complements the adjoining precincts (Lindum Vale, Craigieburn R2 and Greenvale North). The PSP notes in its vision that the PSP will:

- complete the delivery of green links within and beyond the PSP boundaries
- provide a sensitive built form interface to rural land west of Mickleham Road and the Urban Growth Boundary.

Two objectives specifically emphasise the importance of trees and open space in this PSP:

O3 Public Realm, open space and heritage

To provide a framework for a high amenity and integrated urban environment within Craigieburn West that encourages a sense of place and community, as well as responds to the existing natural, cultural and built form features.

O5 Biodiversity and ecosystems

To facilitate the retention and protection of Conservation Area 29 and landscape features within Craigieburn West including scattered trees and waterways as key community assets that are integrated with the urban landscape.

Particularly relevant requirements and guidelines include (Part A and Part C changes underlined):

- R34 Vegetation shown on Plan 10 as Vegetation for Retention must be retained ~~and incorporated into either the open space network or the public realm, unless otherwise agreed by the Responsible Authority.~~
Retained vegetation must be incorporated into either the open space network or the public realm.
- G42 Local parks and linear parks should be generally be provided where shown on Plan 8 and as outlined in Table 4.
- G43 Alternative locations and configurations for local parks ~~(other than including the linear park)~~ may be considered, subject to:
- Addressing the required locational attributes as outlined in Table 4.
 - Not diminishing the quality or usability of the space.
 - Not adversely impacting on the overall diversity of the precinct open space network.
 - Being equal to or more than the passive open space provision shown in Table 4.
 - Still being supported by the preferred path network outlined in Plan 5.
- G58 Where practicable, existing vegetation should be retained, protected and enhanced to provide habitat and movement corridors for local fauna.

The exhibited Open Space Plan is extracted in Figure 11. The exhibited Biodiversity and Vegetation Plan is extracted in Figure 12. The PSP was informed by an arboricultural assessment prepared by Treetec dated February 2019 (the Treetec report), and a landscape character assessment prepared by Spiire dated February 2019.

Figure 11 Open space plan



Source: Exhibited PSP

Figure 12 Biodiversity and vegetation plan



Source: Exhibited PSP

By the conclusion of the Hearing, it was generally agreed that:

- the overall quantum of active and passive open space proposed in the PSP is appropriate
- trees to be retained should be in the public realm (in local parks, pocket parks or road reserves)

- tree retention requirements should be subject to a secondary consent mechanism.

6.2 Tree retention

(i) The issues

The issues are:

- whether the PSP adequately recognises the amenity, character and place making values of trees, as well as their biodiversity value
- whether guidance is needed on the exercise of discretion under the revised Requirement R34.

(ii) Evidence and submissions

Council expressed concerns with the tree retention requirements and guidelines in the PSP:

- while the PSP explicitly references biodiversity as a key reason for vegetation retention, there are only oblique references to the character and amenity value of retaining scattered trees
- the mechanism proposed in Requirement R34 (requiring vegetation to be retained unless agreed otherwise by the responsible authority) does not have any criteria to enable the assessment for removal to be undertaken
- the requirement in Guideline G58 to retain vegetation ‘where practicable’ is not clear.

Council proposed changes to Objective O3, Requirement R34 and Guideline G58 to address these concerns.

The VPA explained that the methodology for tree retention is based on the value ratings in Treetec report. Plan 10 identifies the following vegetation as ‘must be retained’:

- ‘very high’ and ‘high’ value vegetation within open space
- ‘very high’ value vegetation outside open space.

The Place Based Plan and Open Space Plan (in particular the location of open space) have been designed around these principles.

While the VPA understood the need to retain vegetation for character and amenity values, it submitted that the tree retention methodology provides a good balance between the retention of high quality significant vegetation and allowing development to occur.

The Merri Creek Management Committee strongly supported the protection of a significant number of native trees within open space and encouraged the PSP to go even further and commit to the protection of additional indigenous trees within public open space and the public realm.

The Peet Masterplan³² shows a slightly different group of trees to be retained on the Peet land than the exhibited PSP originally proposed. In support of their alternative tree retention proposal, Peet called Robert Galbraith to present arboricultural evidence. He considered the Peet Masterplan and the different tree retention regime, relative to the PSP.

Mr Galbraith noted that:

³² Document 106

- The linear Local Park in the PSP has been formed to incorporate a high number of scattered trees and tree groups, as there is a concentration of high and very high value large mature River Red Gums in this zone.
- This has caused a problematic separation between the park and the north south connector road alignment within the [Peet] Land.
- The PSP also identifies ‘very high’ and ‘high’ retention trees that will not be able to be retained as they:
 - Are within the Craigieburn Road PAO (northern boundary of Property 28 and Property 29)
 - May have Tree Protection Zones considerably within the Craigieburn Road PAO area
 - Are within the route of the proposed Gallantry Avenue.

Mr Galbraith’s opinion was:

... there is a bias in the Treetec report to rating the trees higher than what they should be, given factors such as species (the primary reason), size, condition, habitat value, whether indigenous or not, useful life expectancy and the bio-diversity objective. However, with respect to the worth ratings of the mature self-sown River Red Gums, there appears to be general conformity between reports in terms of the allocated retention values, although some bias to suggesting higher worth trees by Treetec.

Mr Galbraith recognised the high ecological value of the old River Red Gums and agreed under cross examination that the PSP is about place-making and not just ecological values. He noted that the Peet Masterplan allowed for the retention of an extra two ‘very high’ worth and four ‘high’ worth River Red Gums on the Peet land compared to the exhibited Place Based Plan. He considered that the Peet Masterplan goes further towards achieving the PSP’s objectives in relation to quality mature River Red Gum retention.

Both the VPA and Council supported the Peet Masterplan.

Craig Czarny gave urban design and landscape character evidence for Peet. His view was:

... some flexibility should be afforded within the PSP to the south of Craigieburn Road in relation to the arrangement of (and nexus between) designated open spaces, vegetation retention and road alignments to achieve more practical, legible and amenable spatial design outcomes.

Mr Czarny’s evidence in relation to tree retention was:

- the principle of protecting the most valuable native vegetation assets is a credible one – and a feature that plays an important role in the creation of a credible ‘sense of place’ for any new neighbourhood
- based on his inspection of the land, the considerable extent and profile of canopy cover is such that some vegetation removal may be acceptable without compromising the key identified character values of the setting.

He also spoke to the need for flexibility in the location, siting and dimensions of open space (in particular the linear park) to enable tree retention.

The Property Council³³ supported crediting passive open space when trees are retained but expressed concern that some of the ‘very high’ and ‘high’ retention trees may not be able to be retained due to their location. The Property Council submitted that Requirement R34 (relating to vegetation retention) needed a more flexible approach. The VPA explained that its Part A changes

³³ Submission 26

included adding a secondary consent mechanism in Requirement R34, to provide flexibility to allow removal of particular trees identified for retention where warranted, at the application stage.

(iii) Discussion and findings

There is no doubt in the Committee's mind that the mature indigenous trees throughout the PSP area will contribute positively to the character of the future precinct. The Committee observed good examples of the contribution that existing trees can make to the character of the future precinct on its site visit. The Craigieburn R2 precinct includes several retained trees in the linear open spaces along Aitken Creek and in small local parks that perform a significant place making function and add significantly to the amenity and character of that precinct's new suburbs.

The Committee agrees with Council that the PSP needs to communicate a clear understanding that tree retention is not merely based on retaining and enhancing significant remnant native vegetation for its biodiversity value, but also its contribution to amenity and landscape character. The Committee supports the intention of Council's proposed additions to Objective O3, and notes that the VPA also supported these changes.³⁴

It is clear from the evidence of Mr Czarny that variations to the proposed tree retention strategy are worth considering where it can be demonstrated that superior place-making and neighbourhood design can be achieved in the immediate and longer term. The Committee therefore supports the Part A changes to Requirement R34, which add a secondary consent mechanism to provide some flexibility in the tree retention requirements.

The Committee agrees with Council that Requirement R34 (Part A version) requires further refinement to guide the exercise of discretion when considering a proposal to remove a particular tree. Character and amenity value should also be considered in the exercise of discretion under Requirement R34. The Committee has made some drafting changes to Council's preferred version of R34 to provide clarity and improve its operation. See Recommendation 15.

The Committee agrees with Council that the reference in Guideline G58 to retaining existing vegetation 'where practicable' is difficult to interpret and apply. G58 is a guideline, not a mandatory requirement, and the Committee considers that the reference to 'where practicable' is unnecessary and should be deleted. The Committee has also recommended amending G58 to include a reference to the contribution of existing vegetation to the character and amenity of the precinct. See Recommendation 16.

The Committee finds:

- The importance of the retention of trees for amenity and character as well as biodiversity value should be better reflected in the PSP, so that both are considered by any secondary consent mechanism.
- Council's suggested changes to O2, R34 and G58 are appropriate to achieve this outcome, subject to some further refinement to the drafting of R34 and G58 (see Chapter 9.2).
- Subject to these changes, the PSP appropriately considers tree retention.

³⁴ Noted in the VPA's schedule of Part C changes to the PSP wording, Document 159(a)

6.3 Active open space

The PSP provides two sports reserves. SR-01 is located in the north on Mt Ridley Road, and SR-02 is centrally located in the northern part of the PSP. SR-01 is co-located with (but not directly adjacent to) the Conservation Area. SR-02 is co-located with the proposed government secondary school and near the LTC. The sports reserves are positioned to be accessible to the future residents of both the Craigieburn West precinct and neighbouring precincts to the north and east.

(i) The issues

The issues are:

- the location of SR-01
- the location of SR-02.

(ii) Evidence and submissions

Stockland proposed relocating SR-01 in response to the proposed realignment of the Conservation Area boundaries (see Figure 17 in Chapter 8.3). Stockland called planning evidence from Mr Negri, who noted the co-location of SR-01 with the conservation area and 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).

The VPA submitted that there is merit to relocating SR-01 adjacent to the proposed realigned Conservation Area. It submitted that this would have limited impact on Lindum Vale as the sports reserve will continue to be located on the connector road and shared path network, facilitating good access by both vehicle and active transport modes. The VPA did not support relocating SR-01 unless the Conservation Area is realigned.

Satterley is the developer of the Botanical Estate in the Lindum Vale PSP. It did not support the proposed relocation of SR-01, as:

- the location of SR-01 is set in policy documents, specifically the *Hume Corridor Integrated Growth Area Plan (HIGAP) Spatial Strategy*, December 2015 (HIGAP Strategy)
- there is no active open space in the Lindum Vale PSP, and residents of Lindum Vale will rely on this reserve being provided in a location easily accessible by them
- SR-01 is 50 percent apportioned to Lindum Vale through the Lindum Vale ICP.

IRD requested a review of the location of SR-02. In his evidence for IRD, Robert Panozzo identified a potential active open space gap in the southern part of the PSP and proposed that SR-02 be relocated on Mickleham Road south of Craigieburn Road, on land owned by Peet. Peet opposed this. The VPA also opposed the relocation of SR-02 as proposed by IRD and Mr Panozzo, as:

- it is centrally located within the PSP and serves the wider catchment both internal and external to the Craigieburn West PSP
- its co-location with the proposed secondary school represents a positive planning outcome.

Council requested that SR-02 be shifted to the northern boundary of Parcels 9 and 10 as, in its view:

- the current location creates an awkward sliver of development at the north of these properties

- shifting SR-02 will allow the 7-12 Government school and the north south connector road to be adjusted to allow for a more practical sized shape and extent of developable land to be created
- shifting SR-02 north will allow for an open space connection from the existing Aitken Creek reserve in Craigieburn R2 through the creek corridors and drainage reserves in Craigieburn West to facilitate the movement of kangaroos into and out of the [Conservation Area] and through habitat in the precinct and wider area.

The VPA did not support shifting SR-02 north because the open space network is not designed for kangaroo movement. The VPA did however agree to a minor shift of SR-02 and the school to the south to allow for a row of residential lots to be included within the northern boundaries of Parcels 9 (Deague) and 10 (IRD).

(iii) Discussion and findings

The relocation of SR-01 is dependent on the Conservation Area boundary realignment being approved. As discussed in Chapter 8.3, the process for the Conservation Area realignment is independent of this PSP, and not yet finalised.

Even if the Conservation Area boundaries are realigned, the Committee heard no evidence that articulated why SR-01 would not work in the exhibited location on Mt Ridley Road. Rather, it was about which location may be the best location.

SR-01 is 50 per cent apportioned to the Lindum Vale PSP, which indicates that SR-01 is intended to serve the residents of Lindum Vale just as much as those of Craigieburn West. Satterley (the main developer in Lindum Vale) opposes the relocation of SR-01. The VPA should further consider the implications for the residents of Lindum Vale before approving a relocation of SR-01. Further consultation with Satterley and Lindum Vale residents should be undertaken.

The Committee agrees with the VPA that the central location of SR-02 as exhibited represents a positive planning outcome – in particular, its location in relationship to the proposed secondary school and the LTC. It is well located on the connector road network, providing good access not only to the future residents of Craigieburn West, but also to the residents of neighbouring PSPs to the north and east. Mr Panozzo's alternative location in the southern part of the precinct was not backed by a particularly detailed analysis (including of the so-called gap in active open space provision), and his suggested location on Mickleham Road would reduce its potential catchment to the west as this land is located outside the Urban Growth Boundary.

The Committee finds:

- The relocation of SR-01 is dependent on the Conservation Area boundaries being realigned, which is not yet certain.
- Even if the Conservation Area boundaries are changed, the VPA should give further consideration to the impact of relocating SR-01 on the residents of Lindum Vale, including further consultation.
- The relocation of SR-02 into the southern part of the PSP as suggested by IRD and Mr Panozzo is not strategically justified.
- The Committee supports a minor shift of SR-02 (and the adjacent school) to the south to enable the development of lots along the northern boundaries of Parcels 9 and 10.

6.4 Local parks

(i) The issues

The issues are:

- the size of LP-09
- the inclusion of LP-06 and LP-08
- the siting of LP-14 and LP-16.

(ii) Evidence and submissions

Several submissions sought changes to either reduce or relocate local parks. Some sought to reduce or realign parks within the specific parcel, while others sought to have the park relocated to another parcel.

The VPA submitted that the proposed network of open space, including the local parks, represents an appropriate distribution of open space, including in response to the presence of significant trees. It did not support a reduction of open space as local park provision is at approximately 5.5 per cent of NDHa, which is marginally over the typical provision but within an acceptable range. Further, local parks are credited open space (and landowners will be equalised for the provision of local parks through the land equalisation mechanism), and form part of a broader overall network. It noted that local parks have been designed to accommodate tree protection zones, however Guideline G43 allows for flexible park design which envisages alternative configurations.

(iii) Discussion and findings

The Committee generally considers that the principles outlined by the VPA that guided the location, sizing and distribution of local parks are appropriate. As discussed in previous parts of this chapter, the Committee considers that the open space network is appropriately designed around tree retention, the protection of biodiversity values, the protection of place making and amenity values provided by significant vegetation, and the linking of open space as part of a continuous network. Local parks are credited open space, and landowner contributions will be equalised through the land equalisation process. For these reasons, the Committee is broadly satisfied that the local park network is generally appropriate.

The Committee briefly addresses submissions made in relation to specific parks below.

LP-06 and LP-08 (Parcel 24, Pask)

Relying on the evidence of Mr Clarke, Pask submitted that there is an overprovision of open space and that the proposed PSP makes it clear that the primary purpose of LP-06 and LP-08 is 'to retain existing vegetation'. Pask submitted that as the VPA has agreed to relocate the north south connector road to the east, there is arguably further support delete these two parks. Pask submitted that the two parks are located within the walkable catchment where increased densities are sought be encouraged, and that LP-07 and LP-10 are located to the east of the site within 400 metres.

As stated above, the Committee does not consider that there is an overprovision of open space within the PSP. In the Committee's view, the fact that LP-06 and LP-08 are within the walkable catchment provides support for their retention, not their deletion. Increased densities within the walkable catchment increases the need for open space of varying sizes, uses and locations.

Sufficient flexibility is contained in the PSP for minor reconfiguration of LP-06 and LP-08 and how they relate to each other now that they will not be effectively bisected by the north south arterial.

The Committee finds:

- LP-06 and LP-08 should be retained.

LP-09 (Parcel 24, Pask)

Relying on the evidence of Mr Clarke, Pask submitted that LP-09 is unnecessarily large and should be reduced to the size of a typical local park (between 1 and 2 hectares). It submitted that a smaller park could still maintain the aesthetic values of the existing trees, and still be co-located with the green link.

Council opposed Pask's request, submitting that LP-09 provides the future Craigieburn West community with a unique local wood park within in an urban context unlike any found in suburbs across Hume. It submitted:

- LP-09 has excellent attributes, is well located and within the passive open space budget parameters
- there is no cogent reason to reduce the size of LP-09
- a concept plan for LP-09 could be considered.

The Committee was not persuaded that LP-09 should be reduced in size. A substantially sized open space has been identified in this general location for some time in the HIGAP Strategy, and the Committee agrees with Council that a large passive open space in this location forms an important part of the open space network and provides a significant and unique contribution to place making. Pask did not provide a strategically robust justification for its reduction in size.

The Committee finds:

- The size of LP-09 should remain as exhibited.

LP-14 (Parcel 31, Peet and Parcel 32, Porter Davis)

Peet requested that LP-14 be moved west to be located at the entry to Elevation Boulevard and contained entirely within Parcel 31 as proposed in their Masterplan, with a reduction in size from 0.6 hectares to 0.3 hectares and equalisation of open space across their entire landholding. Peet identified that the trees identified for retention (and thus the purpose of LP-14) are located on a dam wall that cannot be retained in its current form.

Council supported Peet's request, submitting that LP-14 should be shifted to adjoin the linear park. This would avoid the park straddling two properties in separate ownership and better achieve a more central location within the PSP to maximise its catchment. The VPA supported further investigation of a relocation of LP-14.

The location of LP-14 is likely to be driven by achieving dimensions that facilitate effective use of the open space. LP-14 is located on two parcels, of which the southern parcel is smaller. The ability to facilitate the open space development is driven by the adjacent land development. The location is adjacent to a connector street, has development on three sides and is midway between Mickleham Road and the green link.

Noting that one of the original key drivers for the location of LP-14 (tree retention) is no longer able to be achieved, the Committee agrees with Peet and Council that locating LP-14 adjacent the green link would be a superior outcome and follows the same rationale as the relocation of LP-15 that has been supported by Council and VPA.

The Committee finds:

- LP-14 should be shifted west to be wholly within Peet’s Parcel 31, preferably adjoining the green link.

LP-16 (Parcel 40, Capital Group)

Council submitted that:

- LP-16 was previously co-located with proposed drainage in the agency consultation version of the PSP
- with the consolidation of the drainage assets into YCWL-01, LP-16 should be shifted south of the east west connector street to be integrated with this drainage asset.

In contrast, VPA submitted that:

- LP-16 is located to serve the wider catchment along the south of the precinct
- locating the open space adjacent to the drainage asset would reduce the walkable catchment of the open space and create a gap in the open space network.

The location of LP-16 is not solely driven by being co-located with additional encumbered green space. Access by residents to open space with their walkable catchment is of particular importance. It was not persuaded that LP-16 should be relocated as Council requested.

The Committee finds:

- LP-16 should be retained in its exhibited location.

6.5 Green links

(i) What is proposed?

The green links make up a linear park that runs north south through the entire precinct.

Requirement R25 specifically addresses the linear park. The Part A changes included:

- R25 The first development proponent to lodge a permit application for land which contains a section of the linear park, as outlined on Plan 8 and Table 5, must undertake a master plan for that section of the linear park, unless otherwise agreed by the responsible authority.

~~The masterplan may be prepared in separate stages (i.e. north and south of Craigieburn Road) to the satisfaction of the responsible authority.~~

The masterplan must outline how the ‘sections’ provide for consistent continuity of the linear park with the adjoining sections (whether developed or undeveloped).

Subsequent development of adjoining sections of the linear park must be generally in accordance with the approved master plan for that section to the satisfaction of the responsible authority.

Note: section refers to the distinct ‘sections’ as outlined by Table 5 and Plan 8 (ie. GL-05, GL-06 etc).

(ii) The issues

The issues are:

- the inclusion and alignment of certain green links
- whether the PSP provides sufficient flexibility about the placement of green links
- the intent and clarity of Requirement R25.

(iii) Evidence and submissions

Several submissions sought changes to the green links. Some sought to remove the green links and some sought to realign them within the same parcel.

The VPA submitted that the green links had in some cases been sited to protect significant trees. It submitted that Guideline G43 (as amended in the Part C changes) allows for flexible park design which envisages alternative configurations of the linear park.

Council submitted that a linear park providing an open space and off-road pedestrian and cycling connection through the entire precinct was a key strategy arising from the co-design workshop that formed part of the consultation informing the development of the Place Based Plan and PSP. It noted that green links are fully credited open space contributions, and (as with local parks) contributions will be equalised through the land equalisation system.

Several submissions (including from Council) highlighted the lack of clarity in Requirement R25, particularly with the extent of the linear park intended to be covered by the Masterplan. The VPA explained that the intent was to require a masterplan for each specific section of the linear park (in other words, each green link), and proposed changes to clarify this. The VPA has also agreed to include linear park cross sections and document references in the PSP to provide example treatments for the linear park and adjoining roads. The Committee supports this, as it will provide additional clarity for developers as to what is expected.

(iv) Discussion and findings

The linear park is a defining feature that forms a continuous north south link through the PSP providing both passive recreation and connectivity. Its north south alignment takes advantage of the linear nature of this PSP.

When giving evidence on the Place Based Plan, Mr Fetterplace identified that:

In proximity to the core of the LTC there is a clear north south linear structure and connection established between highly valued planned features, including schools and parks. A future public transport route and linear open space reserves are proposed to link these local features by foot, bike and bus creating 'key nodes' consistent with the vision of the PSP and 20-minute neighbourhood principles.

Mr Fetterplace's observation demonstrates the integration of open space with other outcomes envisaged by the PSP, such as transport, to create high amenity connected neighbourhoods. The Committee has no doubt that over time, the value of the link connecting retained vegetation, the Conservation Area and the local parks will positively contribute to the overall amenity of the PSP.

The overall success of the linear park relies on its strategic implementation across the PSP, with each section (green link) connecting to the next. However, well justified minor alignment changes to the linear park or the green links could be permitted at the subdivision stage, where warranted, provided the linear connectivity principle is met. The revised G42 and G43 provides this flexibility.

The Committee finds:

- Where justified, and without detriment to the overall success of the linear park, minor deviations of the park and its green links should be allowed. The amended Guidelines G42 and G43 provide sufficient flexibility for this.
- The linear park cross sections and document references to provide example treatments for the linear park and adjoining road proposed by VPA for inclusion in the PSP will better

facilitate the development of the green link and will provide greater clarity for Requirement R25.

GL-01, GL-02 and connection between LP-03 and LP-04 (Parcels 4 and 5, Stockland)

Stockland requested green links GL-01 and GL-02, and the connection between LP-03 and LP-04 be removed as these can be provided within the road network. It submitted that the land budget set aside for these green links could be redistributed to local parks.

In providing planning evidence for Stockland, Mr Negri acknowledged that green links provide connections through the PSP and will contribute to an attractive open space network. However, he considered that GL-01 is not necessary as the link could be accommodated on the north south connector street that forms a boundary with the Conservation Area. Mr Negri considered that the removal of GL-01 would allow the more efficient development and use of the Stockland land.

Council did not share this view and considered that an on-road green link would not suffice because it is not consistent with the implementation of the linear park across multiple landholdings and was not what was originally conceived in the planning of the linear park. Council did, however, support the removal of GL-02 that connects to the west, and the reallocation of that open space within the Stockland landholding.

The VPA submitted that these matters could be investigated further in respect of the final Conservation Area boundary realignment, which is still to be confirmed.

The Committee agrees with Council that GL-01 plays an important role as the most northern link of the linear park, providing off-road connectivity to the Lindum Vale PSP. Providing one or more on-road green links is not likely to achieve the overall intent of the linear park as the user will experience vehicle traffic. An on-road link would be no different to many other urban neighbourhoods and does not encourage bicycle and pedestrian use in a high amenity area. On-road green links should be discouraged on all landholdings.

Flexibility to move GL-01 to the western side of the north south connector is appropriate. The Part C changes to Guideline G43 allow this.

The VPA did not provide any detail as to why GL-02 or the link between LP-03 and LP-04 had been included. The Committee does not have enough information before it to make findings about the appropriateness of their deletion. It makes no findings in relation to the link between LP-03 and LP-04, or the deletion of GL-02 (although it notes the latter was supported by Council).

The Committee finds:

- GL-01 should be retained.

GL-03 (Parcels 6, 7 and 8, JAK)

JAK submitted that GL-03 *“is not warranted within the site as it only picks up one tree to be retained is considered unnecessary in the context of all the other site constraints.”* The removal of GL-03 would disrupt the linear park’s connectivity through the PSP, and its deletion is not supported by the Committee.

The Committee finds:

- GL-03 should be retained.

GL-04 (Parcel 23, Hawthorn Developments)

Hawthorn Developments submitted that the linear park could be relocated so it does not cross the subject site diagonally but rather projects north along the site's eastern side. This could be considered at subdivision stage under the amended guidelines G42 and G43, and the Committee makes no findings about the suitability of the alternative alignment.

GL-05 and GL-06 (Parcels 29 and 30, Peet Ltd)

Mr Czarny, presenting evidence for Peet, stated that:

The proposed arrangement and orientation of linear parks in the PSP at Plan 8 are in my opinion problematic. Linear Parks, namely GL-05 and GL-06 are narrow somewhat sinuous corridors (as narrow as approximately 25m in width) supporting both vegetation and off-road shared pathways which in my interpretation are 'fixed'.

The Peet Masterplan straightened the alignment of GL-05 and GL-06 and located them adjacent to the realigned north south connector. Both the VPA and Council supported the Peet Masterplan, as does the Committee.

The Committee finds:

- The minor adjustments to the alignment of GL-05 and GL-06 shown on the Peet Masterplan are supported.

7 Infrastructure issues

7.1 Secondary school location

(i) What is proposed?

The PSP proposes to locate the government secondary school on Parcels 9 (Deague), 10 (IRD) and 14 (ownership unknown). This location is relatively central in the northern part of the PSP, just north of the LTC and government primary school (see Figure 13).

Figure 13 Proposed location of the government secondary school



Source: Exhibited PSP, annotated by the Committee

An earlier consultation version of the Place Based Plan discussed at a co-design workshop located the secondary school further north, on Parcel 4 (Stockland).

(ii) The issue

The issue is:

- whether the secondary school should be located further north on Parcel 4 (Stockland).

(iii) Evidence and submissions

IRD submitted that the secondary school should be relocated further to the north as proposed in the co-design workshop. Relying on the evidence of Robert Panozzo, it proposed a location on Mt Ridley Road shown in Figure 14, which was based on the Stockland concept plan and which IRD referred to as Option A.

Figure 14 Proposed relocation of the secondary school by IRD - Option A



Source: Figure 2 of the Addendum to Expert Witness Statement of Mr Panozzo (Document 108), annotated by the Committee

IRD submitted that its Option A provides for a more equitable distribution of school catchments and equally acceptable access to walking, cycling and road networks. In addition, because the land in Parcel 4 is in a single ownership (Stockland) on a main road location from which access could be gained, it is likely the school would be developed more quickly in the Option A location.

Mr Panozzo undertook a review of government schools in a study area he defined using a combination of Statistical Area Level 2 (SA2) localities and the boundaries used in the City of Hume Small Area Population Forecasts. He concluded:

By full development, the Study Area will contain 20 Government Schools consisting of 6 Government Secondary schools and 15 Government Primary schools.

While he estimated the potential need for five government secondary schools by full development in 2041, he acknowledged the larger population catchments of secondary schools and concluded that the number of government schools was appropriate for the study area.

Using a 1.5 kilometre radius as the basis for a catchment, Mr Panozzo identified a *“potential provision gap area stretching from the southern portion of the Merrifield West PSP to the Lindum Vale PSP.”* Option A would address this gap.

The VPA submitted that the location of a school should be based on the following criteria:

- catchment
- DET school location guidelines
- good planning practice.

The VPA advised that DET identified the need for a secondary school north of Craigieburn Road and (other than being on multiple land parcels), the exhibited location met all the DET school location guidelines. It also represented good planning practice, which involves:

Co-location and place-making principles – the proposed Secondary school is directly adjacent to a sports reserve, and in close proximity to the primary school located in Craigieburn R2 PSP and the local town centre. Co-location with the aforementioned community assets strengthens the desirability of the walkable catchment, increases the sense of place, and improves the attractiveness of higher density living.

In addition, the VPA noted that Clause 56.03-3 Standard C4 of the Planning Scheme requires that schools, amongst other things:

- be integrated with the neighbourhood and located near activity centres
- be located on walking and cycling networks
- adjoin the public open space network and community sporting and other recreation facilities
- be integrated with community facilities.

The VPA explained that the co-design workshop is *“an issues identification process for the preparation of PSPs but is an earlier step in the process than the preparation of the PSP document”*. It added that the relevance of the co-design workshop is limited because its purpose was to inform the preparation of the PSP but not to lock in any particular outcomes. It also advised that the secondary school location identified in the co-design workshop had been partly informed by a possible relocation of Mickleham Primary School which DET has contemplated earlier but had later abandoned.

The VPA submitted that the exhibited location for the secondary school balances the considerations outlined above and is superior to the alternative location proposed by IRD because it:

- services a larger projected population (noting that the IRD Option A catchment includes a large proportion of the Conservation Area)
- has better integration with the LTC
- is located on two connector roads, which meets DET requirements.

By letter dated 7 May 2021³⁵ DET advised the Committee that it no longer wished to be heard by the Committee. By letter to the VPA on the same day,³⁶ DET assessed the IRD Option A and advised:

DET notes that the Draft PSP site has fragmented landownership whilst the Option A site does not. While DET's preference is that a proposed school site is in a single land ownership to avoid possible complications associated with site acquisition, DET also recognises that:

- implementation requirements must be balanced against proper planning locational assessment;
- a location across multiple titles does not preclude the establishment of an education facility; and
- land fragmentation alone is not a rationale for relocation of the proposed site.

DET accepts that in planning decision-making, choices need to be made depending on the context and circumstance. DET also accepts that it would be unreasonable to expect that the principles concerning catchment and land fragmentation associated with school location be elevated above other planning principles.

While DET considers that the Option A site could be an acceptable location for a proposed government secondary school, DET accepts the VPA's view that – on balance – the Draft PSP site provides the best planning outcome in response to the various relevant criteria.

Stockland supported the VPA's position on the secondary school location, submitting:

...the proposition that landownership should play a significant role in strategic planning is misguided. Land ownership is no doubt a relevant consideration but it is peripheral. That is because the appropriate site should be selected for its strategic suitability and not bureaucratic expediency.

It added that the argument that the school will be delivered early in the Option A location merely because the land is in single ownership and on a major arterial road is unfounded. It submitted that DET discourages schools locating on arterial roads, and the school will not be delivered until demand generates a clear need for it.

Stockland argued that a 1.5 kilometre school catchment is unrealistically small. A true reflection of the 20 minute neighbourhood includes walking, cycling and driving trips, which is more accurately reflected in a 3 to 4 kilometre catchment. Stockland added that the catchment gap identified by Mr Panozzo was *"nothing more than a spatial analysis"* which is uninformative because it fails to account for demand arising from relative population densities, the impact of road accessibility on travel times, and other factors that are necessary to understand whether there is a service (rather than a spatial) gap.

Stockland submitted that the residential populations of Lindum Vale and Merrifield West are relatively low and likely to remain so. The combined future populations of the Lindum Vale and Merrifield West PSP areas is expected to be approximately 8,724 dwellings which falls well short of *"the requisite 'critical population mass' of 1 secondary school per 10,000 dwellings."* It argued that

³⁵ Document 112

³⁶ Document 114

the Merrifield West secondary college needs the Lindum Vale population to remain sustainable, particularly given that it cannot draw from a future population to its east and north as land in those areas is non-residential.

(iv) Discussion and findings

The main argument for relocation of the secondary school was a gap identified by Mr Panozzo's catchment analysis. Mr Panozzo's analysis simply assigned each school a uniform 1.5 kilometre radius. The Committee agrees with Stockland that this review was more of a spatial analysis than a catchment analysis. In the Committee's view, the extent of a catchment should be defined by identifying a target population number rather than a distance. A proper catchment analysis would need to take account of population demographics, residential densities, and the presence of non-residential areas such as open space within the catchment area. This exercise has not been done, and the Committee agrees with Stockland that a secondary school catchment is likely to be significantly larger than the 1.5 kilometres assumed by Mr Panozzo.

The Committee accepts the submission of the VPA that good planning and indeed the provisions of the planning scheme encourage the integration of schools with activity centres, open space as well as pedestrian, cycling and road networks. In the Committee's view the exhibited location of the secondary school better address more of these criteria than IRD's Option A.

The Committee acknowledges that the school site includes three different land parcels with different owners. This is not an insurmountable or rare problem in a PSP, and DET has acquisition powers that will allow it to acquire the site when demand is reached.

The Committee finds:

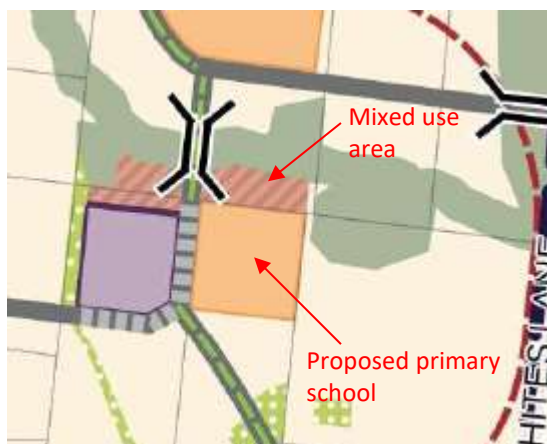
- The exhibited location of the government secondary school is appropriate.

7.2 Primary school location

(i) What is proposed?

The PSP proposes to locate the northern government primary school next to the LTC, with a strip of mixed use between the school and the Aitken Creek drainage reserve (see Figure 15).

Figure 15 Proposed northern primary school location



(ii) The issue

The issue is:

- whether the primary school should be located further north to meet the drainage reserve (and remove the strip of mixed use).

(iii) Evidence and submissions

Referring to Mr Panozzo's catchment analysis, Pask submitted that the primary school should be located further north in the PSP, to address a catchment gap in the north. Alternatively, it submitted that if the current location is retained, the school should be shifted slightly north to sit adjacent to the Aitken Creek linear open space. It submitted that the exhibited location was inappropriate because:

The current location of the school only shows one frontage to a connector road and no direct interface with the creek reserve. It is in a constrained location adjoining the Local Town Centre and Mixed Use Area proximate to the bridge creek crossing. It does not have the benefit of adjoining any open space, which is desirable for a school location.

Pask noted that the depth of the proposed mixed use area was approximately 60 metres which would be reduced to a useable area of 15 to 23 metres once the road reservation and creek setback were included. It submitted that this would not be wide enough to result in viable mixed use development.

In addition, relying on the evidence of Mr Walsh, Pask submitted that moving the school to adjacent to the creek reserve would enable the north south connector to be realigned along the southern boundary of the school site, providing better access to the school (see Chapter 3.5 for more detail).

Mr Clarke agreed with the general location of the primary school, and that it was *"desirable but not essential to locate a school next to active open space."* He supported moving the school further north to the creek reserve because the location and dimensions of the strip of mixed use area between the school and creek was inappropriate. He concluded:

I consider the location of a primary school with the creek reserve a better outcome as it provides both a potential recreation and nature studies benefit to the primary school.

The VPA did not support relocating the primary school to abut the creek. It argued that the mixed use area, which it calculated at around 180 metres wide, should be retained. It submitted:

Whether this area is used for residential or other permitted uses under the mixed use zone, there is sufficient space to take the benefit of the high amenity that a creek frontage affords.

The VPA stated that the applied Mixed Use Zone provided some flexibility in how the mixed use area would be developed, and the feedback from DET during the preparation of the PSP was that it did not prefer a creek frontage location. It also noted that while a lower order concern, shifting the school north as proposed by Pask would result in the site no longer being in a single title as DET preferred. The VPA submitted that should the Committee agree with the school shifting to abut the creek reserve, the mixed use area should be relocated to the south side of the realigned north south connector.

(iv) Discussion and findings

The Committee accepts the VPA submission that a mixed use area with a creek frontage provides a higher amenity land use outcome than a primary school frontage. Mixed use along the creek frontage (whether it is higher density housing, cafes or the like) is likely to provide a better interface with more consistent passive surveillance of the linear open space. The Committee also considers there is merit in including the site within a single title where practical. These factors support retaining the school in the exhibited location.

However, the question of the width of this strip of mixed use is relevant. The VPA states it is approximately 180 metres wide, while Pask suggests it is more like 60 metres. In the Committee's view this difference is significant and important.

The Place Based Plan in the PSP is not to scale, and the Committee is unable to determine which measurement is correct. Consequently, the VPA should confirm the dimensions of this strip of mixed use to ensure there is sufficient width to accommodate the level of development envisaged. If not, then either the width of the mixed use area should be increased and the school moved south, or the mixed use area moved to the south of the realigned north south connector and the school moved north to abut the creek.

The Committee finds:

- The northern primary school should not be shifted further north to abut the Aitken Creek reserve unless the width of the mixed use area is insufficient to allow for the practical development of that land.

7.3 Funding the Marathon Boulevard extension

(i) The issue

The issue is:

- whether the extension of Marathon Boulevard should be included in the Precinct Infrastructure Plan (PIP) and the future Infrastructure Contributions Plan (ICP).

(ii) Evidence and submissions

The extension of Marathon Boulevard from Craigieburn R2 into the PSP area crosses three separate parcels (Parcel 14 (ownership unknown), Parcel 15 (Deague) and Parcel 16 (Frances and Norman Baker)), and includes a culvert crossing of Aitken Creek.

Relying on Mr Walsh's evidence, Deague submitted that the Marathon Boulevard extension should be included in the PIP and funded through the future ICP. Deague submitted that the fragmented ownership would likely delay the delivery of the road connection, particularly given Parcel 16 is significantly encumbered by drainage and open space and less likely to develop in the short to medium term. Deague submitted that the Ministerial Direction on ICPs allows the inclusion of culverts and collector roads as supplementary items in an ICP where land fragmentation makes delivery difficult.

Mr Walsh's evidence was that it is likely that development will occur from the Highlands Estate to the west along Whites Lane. He added that the extension of Marathon Boulevard, not the existing Olivers Road, is intended to connect to the north south connector and provide access to the proposed secondary school. He considered that Parcel 16 may not be in a position to construct

the first section of the connector road, which would stymie the provision of the connector road and in turn limit access to the secondary school.

The VPA submitted that the land is not fragmented within the meaning of the Ministerial Direction. It argued that Parcel 16 is 8 hectares in area and does not qualify as fragmented.

Council did not support funding Marathon Boulevard through the ICP. It observed that Deague *“has significant developable land which would not appear to require any assistance or facilitation.”*

(iii) Discussion and findings

The Ministerial Direction on ICPs does not provide a definition of fragmented land. Nevertheless, Parcels 14, 15 and 16 have a combined area of over 33 hectares. In the Committee’s view, this land could not be described as fragmented, and therefore would not fit the criteria for inclusion in the future ICP. It would therefore not be appropriate to include the Marathon Boulevard extension in the PSP.

The Committee finds:

- The Committee was not persuaded that the extension of Marathon Boulevard and the culvert would necessarily fit the criteria in the Ministerial Direction for inclusion in the future ICP. It would therefore not be appropriate to include them in the PIP.

7.4 Funding the culvert under Mickleham Road

(i) The issue

The issue is:

- whether the culvert under Mickleham Road should be included in the PIP and ICP.

(ii) Evidence and submissions

Porter Davis informed the Committee that a culvert comprising twin 375 millimetre diameter pipes, conveys water from the Gap Catchment area under Mickleham Road. It submitted that the PSP should reference the culvert because the proposed changes to the drainage for the Gap Catchment *“will inform any required upgrades to the culvert.”*

Mr Wiese’s stormwater evidence (for Porter Davis) identified that outflows from the Porter Davis land will need to drain through Peet land to the Mickleham Road culverts regardless of which solution is adopted for the drainage of the Gap Catchment. Mr Wiese acknowledged that the culverts were not part of the PSP, but if they were included:

... then there will be an opportunity to upgrade the culverts in the PSP as it directly relates to the gap catchment upstream.

Mr Mag’s evidence was that the final location of the Gap Catchment retarding basin was uncertain, however as long as the boundary of the catchment aligns with the location of the Mickleham Road culvert, the retarding basin could be moved north or south as needed.

The VPA considered the culverts to be local developer works that do not benefit the broader catchment and therefore should not be funded under the future ICP.

(iii) Discussion and findings

Mr Mag's evidence was that the Gap Catchment drainage scheme should be designed to convey the 1 percent Annual Exceedance Probability event through the existing twin 375 millimetre diameter culverts. He based the estimations for sizing the Gap Catchment retarding basin on this assumption. In the Committee's view this is appropriate, and was accepted by Peet, Porter Davis, the VPA and Council. Consequently, there would be no need to upgrade the culverts for drainage purposes.

The Mickleham Road culverts will clearly need to be upgraded (lengthened) when the duplication of Mickleham Road proceeds. Any upgrade of the culverts needs to be considered as part of the duplication.

The Committee finds:

- There is no justification for including the culverts under Mickleham Road in the PIP or the future ICP.

7.5 Apportionment of active open space and community facilities

(i) The issue

The issue is:

- whether the apportionment of active open space and community facilities between the Craigieburn West and Lindum Vale PSPs is appropriate.

(ii) Evidence and submissions

The Lindum Vale ICP apportions 50 percent of the cost of sports reserve SR-01 and community centre CI-01 to Lindum Vale, and 50 per cent to Craigieburn West. The Lindum Vale ICP assumed a smaller area for these two infrastructure items:

- 8 hectares for SR-01 rather than the 9.5 hectares now proposed (the larger area is consistent with the minimum requirements of Element 5 in Standard 5 of the PSP Guidelines)
- 0.8 hectares for CI-01, rather than the 1.2 hectares now proposed.

Relying on the evidence of Mr Negri, Stockland submitted that the Lindum Vale PSP and ICP should be updated so that it provides sufficient funding to cover its 50 per cent share.

The VPA submitted that the different densities proposed in Lindum Vale and Craigieburn West should be taken into account in assessing whether the 50/50 apportionment remains fair and equitable. It informed the Committee that because of the lower densities in the Lindum Vale PSP, active open space is funded at the rate of 421 dwellings per hectare and the community centre at 4,213 dwellings per hectare. The Craigieburn West PSP funds active open space at the rate of 552 dwellings per hectare and the community centre at 4,143 dwellings per hectare. In the VPA's submission the funding rates are very similar between the two PSPs and there is no inequity.

The VPA acknowledged that the Craigieburn West PSP will make up the 'gap' resulting from the larger land areas but that the Lindum Vale PSP was "*pulling its weight.*" The VPA submitted:

Stockland, who will accommodate SR-01, will be providing 9.5 hectares of land for which they will receive 9.5 hectares of land equalisation credit.

The balance of landowners will, through their various contributions, 'pay' for only 5.5 hectares of the total 9.5 hectares, with the balance met by Lindum Vale. This means

that while the PSP provides the appropriate amount of land (and no more) the actual equalisation rate paid for by Craigieburn West is based on 9.1% of Net Developable Area rather than the full 10.08%.

In the ordinary course were there no apportionment with Lindum Vale the whole amount would be met by the Craigieburn West developers. In short, the PSP provides no extra land overall compared to the PSP Guidelines but derives a beneficial contribution rate.

The VPA concluded that it was fair and reasonable that the Lindum Vale contribution remain as detailed in the Lindum Vale PSP and the Craigieburn West PSP fund the balance of the active open space and community facilities, notwithstanding the increased size of these facilities.

(iii) Discussion and findings

The concept of apportionment is that each contributor pays a fair and reasonable proportion of the costs of infrastructure based on a logical method of calculation, usually population. Stockland chose to illustrate what it argued was an inequity by identifying the increase in land area. The VPA chose to demonstrate the apportionment by using the ratio of dwellings per hectare.

The Committee acknowledges that there may be an increase in the land area required for both SR-01 and CI-01, which was in response to a request from Council. Nevertheless, the Committee is comforted by the closeness of the ratios of dwellings per hectare provided by the VPA which, in the Committee's view, demonstrate that although land areas may have increased, the apportionment between PSPs remains equitable.

The Committee finds:

- The apportionment of active open space and community facilities between the Craigieburn West PSP and the Lindum Vale PSP is equitable and appropriate.

7.6 Equity issues

(i) The issue

The issue is:

- whether some properties are overly (inequitably) burdened with public infrastructure.

(ii) Submissions

IRD submitted that under the PSP, 91 per cent of its Parcel 10 has been designated for active open space and the government secondary school. IRD submitted that this was a disproportionate designation of public land uses on its land, further compounded by the fact that it left an unviable strip of so-called developable residential land left on the northern edge of the land. IRD estimated the width of this strip to be 82-83 metres.³⁷

Frances and Norman Baker submitted that their land was significantly encumbered by a number of public assets including:

- 4.55 hectare waterway and drainage reserve along the eastern and southern parts of the site (44.75% net developable area)
- 45 metre wide 1.46 hectare (3.26 ha total, 1.8 ha included waterway corridor) wetland (ACWL-02)

³⁷ Document 162

- culvert/bridge crossing the Aitken Creek waterway (BR-03)
- 20 metre wide connector street extending from the existing urban development to the east of Whites Road (Marathon Boulevard) – earmarked as a future public transport corridor
- an off-road shared pedestrian and cycling path traversing the reserve (service open space areas).

They argued that the land take was excessive and inequitable, especially because the land was within the walkable catchment where higher densities are encouraged. They submitted they were:

... frustrated by the lack of clarity regarding compensation and/or contribution mechanisms proposed to use and develop their private land for the benefit of the broader precinct.

In addition, they were uncertain of the final land take for the drainage scheme because the Aitken Creek DSS has not been finalised.

The VPA acknowledged that the greater part of Parcel 10 was undevelopable because of the school and open space. However, it submitted that the decision to locate this community infrastructure was based on proper and orderly strategic planning which recognises cadastral boundaries but does not see them as determinative of land use.

The VPA submitted that the designation of land for a school or open space does not “*equate to purchase on unfair terms*”. The open space will be subject to the new public land equalisation regime and the school site will be acquired by the Victorian School Building Authority and the process governed by the Victorian Government Land Transactions Policy and Guidelines April 2016. The VPA concluded:

... that the future purchase of the school site will take place on fair terms.

With respect to the Bakers the VPA submitted that the land is partly encumbered by an existing watercourse (the north east tributary). Nevertheless, approximately 45 percent of the land will remain developable. It added:

Under the DSS there will be a development rate paid for what would otherwise be developable land but which is required for the construction of non-natural assets. The VPA understands that this means approximately 1.4 Ha (to be confirmed) of the land outside the waterway will be funded through the DSS (based on the proposed DSS) as will construction of the asset itself.

The VPA stated that it did not propose that any of the Bakers’ land would be compulsorily acquired.

(iii) Discussion and findings

Public infrastructure needed to support new communities must be located somewhere in the PSP. If the school and open space are to be located centrally and close to the LTC, there are limited alternative locations. In addition, the relatively small average parcel size of land in the PSP, at just under 14 hectares, adds another level of complexity given the larger areas required for open space and secondary schools.

As discussed elsewhere in this Report, the Committee considers that the location of the open space and school are founded on sound principles where cadastral boundaries play a limited role. In the Committee’s view, proper strategic planning requires the location of these facilities to be

determined by identifying the optimal location, rather than the impact on the developable percentage of particular parcels of land.

The Baker land is partly encumbered by an existing watercourse that would more than likely become part of a DSS. Land required for open space will form part of the equalisation process through an ICP, land for the schools will be dealt with under the government's land acquisition policy, and land outside of the waterways required for drainage assets will be funded through the DSS. These mechanisms may not provide the same return as the urban development of the land, but the Committee agrees with the VPA that they are fair mechanisms for acquiring property for public purposes.

Consequently, while the Committee acknowledges that some properties are significantly burdened with public infrastructure, the statutory processes to acquire the land provide an equitable outcome.

The Committee finds:

- While some properties are disproportionately burdened with public infrastructure when compared to others, this is not inequitable.

8 Other issues

8.1 Airport issues

(i) What is proposed?

APAM advised that the north west corner of the PSP is within prescribed airspace (refer to Figure 16).

Figure 16 Area impacted by prescribed airspace



Source: Australia Pacific Airports (Melbourne) submission

The VPA advised:

The control of development in prescribed airspace is through the *Airports Act 1996* (Commonwealth) and not carried over to the [PE] Act. Under the *Airports (Protection of Airspace) Regulations 1996* (Commonwealth), either a Registered Building Surveyor or the Municipal Building Surveyor of Hume City Council is required to give notice to Melbourne Airport (Regulation 8).

It proposed the following in its Part A changes:

- Include Prescribed Airspace on Plan 2 – Precinct Features Plan
- Include Note on Plan 2 – Precinct Features Plan stating (as per Lindum Vale PSP):
 - The land within the PSP area is partly affected by the Melbourne Airport Prescribed Airspace. Certain activities (“controlled activities” as defined by the Act) within prescribed airspace may require additional referrals under the Airports Act 1996 (Commonwealth).

- Further information concerning prescribed airspace can be obtained from Melbourne Airport and its website, which can be accessed at: <http://www.melbourneairport.com.au/>.

(ii) The issue

The issue is:

- whether additional controls should be included in relation to the airport.

(iii) Evidence and submissions

APAM submitted that the northwest corner of the PSP:

... which is designated for education, community centre and residential currently experiences significant noise from aircraft movements to and from Melbourne Airport which will increase over the next 25 years.

APAM submitted that:

The management of matters such as prescribed airspace and aircraft noise are critical to ensuring the protection of both Melbourne Airport as a key infrastructure asset in Victoria, and future residents and occupiers of the Craigieburn West PSP area.

APAM argued that the issues of prescribed airspace and aircraft noise already exist and these should be managed through the PSP process. It submitted that the PSP should only proceed with the following changes to the PSP:

- show the protected airspace area and N-Contours on Plan 2
- add a note on Plan 2 indicating that the N-Contours are subject to change, and up to date information can be sought from Melbourne Airport's Noise Information Tool
- add new requirements and guidelines in Section 3.3:

R# Prior to either an application for a planning or building permit, whichever comes first, for any building within the area identified as the protected airspace area on Plan 2, approval for development within prescribed airspace must be sought from the Department of Infrastructure, Regional Development, Transport and Cities after being submitted through Australia Pacific Airports (Melbourne) Pty Ltd.

R# In any application for a planning or building permit for a dwelling, or to subdivide land for residential purposes within the N-Contours, must include requirements for noise attenuation.

- add new requirements and guidelines in Section 3.6:

G# In any application to subdivide or develop land for residential, educational or commercial purposes within the PSP area, consideration should be given to including noise attenuation treatments within any building to minimise the impacts of aircraft noise. Details of the N-Contours as they apply to the PSP area can be located at:

<https://www.melbourneairport.com.au/Corporate/Community/Noise-at-Melbourne-Airport/Noise-tool>

R# In any application within the N-Contours to develop land for education or community facilities, including upgrading or expanding existing educational or community facilities, noise attenuation measures must be included in the design of any new buildings. Details of the N-Contours as they apply to the PSP area can be located at:

<https://www.melbourneairport.com.au/Corporate/Community/Noise-at-Melbourne-Airport/Noise-tool>

G# In any application outside the N-Contours to develop land for education or community facilities, or upgrade existing educational or community facilities,

consideration should be given to noise attenuation treatments within any buildings to minimise the impacts of aircraft noise. Details of the N-Contours as they apply to the PSP area can be located at:

<https://www.melbourneairport.com.au/Corporate/Community/Noise-at-Melbourne-Airport/Noise-tool>

It also requested several changes to the UGZ12:

- add a new application requirement to Clause 3.0:

Protected Airspace

For any application to construct a building within the area identified as the protected airspace area on Plan 2, approval for development within prescribed airspace must be sought and obtained from the Department of Infrastructure, Regional Development, Transport and Cities after being submitted through Australia Pacific Airports (Melbourne) Pty Ltd and provided as part of any permit application material.

- add new conditions to Clause 4.0:

Condition – Education and Community Facilities

Any permit to use or develop land for an education or community facility, including an upgrade to an existing education or community facility, within the N-Contours must include a condition requiring noise attenuation measures to be included in the design of any buildings to AS2021-2015: Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.

Condition – Dwellings

Any permit to use or develop land for a dwelling, or to subdivide land for the purpose of dwellings, within the N-Contours, must include a condition requiring noise attenuation measures to be included in the design of any buildings in accordance with the requirements of AS2021-2015: Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.

APAM submitted that it is not seeking to introduce new controls but to alert developers and residents to these requirements as early as possible. It added that the changes recommended in the Lindum Vale PSP had not been implemented and there was significant non-compliance with the legislated requirements.

The VPA submitted that the Committee is being asked to resolve aircraft noise and prescribed airspace issues in advance of the final report of the Melbourne Airport Environs Safeguarding Standing Advisory Committee (MAESSAC). The VPA added:

... it is inappropriate to expand the existing suite of planning tools given the process being undertaken by the MAESAC which will consider potential changes to the Victorian Planning Provisions.

The VPA submitted that the role played by this PSP is minor and there is no difference in the noise that may be experienced by future residents relative to those existing residential areas just east of the precinct.

It noted that the draft Amendment includes a notice requirement to APAM under Clause 66.06 for applications within the N-Contours, which is consistent with the approach adopted for the Lindum Vale PSP.

The VPA argued that the core issue for APAM is non-compliance with the Commonwealth legislation. In summary this legislation requires a building authority dealing with an application in prescribed airspace to give notice of the application, in this case to APAM. The VPA submitted that APAM's requested additions would introduce a duplication of provisions. It submitted:

The VPA considers the appropriate balance lies in the PSP increasing awareness of the approvals required under the Commonwealth regime, but no further. The proposed note set out in the Part A submission will make future developers aware of the environmental constraint, and the proposed Clause 66.06 notice requirement will improve communication between permit applicants and the Airport operator.

Stockland supported the VPA's approach, noting that it was similar to that adopted for the Lindum Vale PSP. Stockland summarised its position on the issue as:

- an integrated and consistent planning policy approach is necessary in relation to the implementation of any such controls
- the MAESAC Committee is the only Standing Advisory Committee that has had the benefit of hearing and considering the expert evidence and submissions relevant to the appropriate suite of planning controls
- this Committee should not attempt to pre-empt the outcomes and findings of the MAESAC Committee.

It added that the appropriate response is on a precinct-by-precinct basis until the MAESSAC finalises its assessment and recommendations. The alternative approach runs the risk of creating *"an inappropriate and piecemeal planning approach"* that may be inconsistent with the findings and recommendations of the MAESSAC.

Mr Negri's evidence (for Stockland) was, that part of the PSP located in prescribed airspace could be identified in Plan 2 with an explanation of the regulatory requirements. He added that:

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.

He added that these modifications would enable the management of the relationship with Melbourne Airport in a similar fashion the Lindum Vale PSP.

(iv) Discussion and findings

The central issue appears to be the lack of referral of building approvals to APAM which are largely issued by building surveyors. In the Committee's view it is inappropriate to use the provisions of the PSP and the planning scheme to achieve compliance under other, in this case Commonwealth, legislation. If the compliance provisions of the Commonwealth Act are ineffective then that is a matter for the Commonwealth and not the Victorian planning framework.

In addition, the Committee agrees with the VPA and Stockland that it is appropriate for it to make recommendations on matters that, more than likely, will be the subject of the findings and recommendations of the MAESSAC. In this respect, whilst not ideal, the Committee prefers Stockland's 'PSP by PSP' approach.

The Committee accepts the VPA's approach for this PSP of designating the prescribed airspace on Plan 2 with a note alerting the reader to the referral requirements and where further details can be obtained. In addition, the Committee supports depicting the N-Contours on Plan 2 to clearly show the area affected. An explanatory note should also be provided. The notice requirements proposed in Clause 66.06 will provide further assistance. In the Committee's view these provisions are adequate and appropriate.

The Committee finds:

- The changes proposed by the VPA are adequate and appropriate and no additional controls should be included in relation to the airport.

8.2 Mickleham Road interface

(i) What is proposed?

Requirement R4 provides:

Development along Mickleham Road and Mt Ridley Road must provide a sensitive rural interface through design treatments, which include a landscaped nature strip between the row of housing and road reservation as indicated by Figure 1.

Requirement R1 provides:

Subdivision layouts, lot diversity and housing typologies must respond to the natural and existing built features of the surrounding developed area, including (but not limited to):

- Rural landscape interface west of Mickleham Road.

(ii) The issues

The issues are:

- the appropriateness of the Mickleham Road interface
- whether the landscaping along Mickleham Road should be provided within the Mickleham Road Reserve.

(iii) Evidence and submissions

Several submissions raised the proposed treatment of the Mickleham Road interface. These related to whether the built form and landscaping proposed would provide a suitable transition to the sensitive rural interface west of Mickleham Road, and whether the landscaping should be located in the road reserve. Submitters proposed wording for the Vision, Objective O1 and Requirements R1 and R4 in the PSP, and one submission sought to limit the built form along the Mickleham Road frontage to single storey.

Council and others submitted that a Mickleham Road interface cross section would provide clarity on the interface treatment and further strengthen Requirement R4. The VPA agreed and included a cross section in Appendix 2 of the Part A PSP. It was put by the VPA that the addition of this cross section negates the need to amend the Vision and Objective O1. The VPA also proposed a retraction in the western boundary of the walkable catchment in the Part A changes, so that development would be at standard residential densities along the whole of the Mickleham Road frontage (see Chapter 5.3 for more detail).

Peet sought to amend R1 to remove the reference to the rural landscape interface west of Mickleham Road. The VPA opposed this, submitting that the interface with the rural landscape is an important aspect of the transition between the Green Wedge land west of Mickleham Road and the urban development in Craigieburn West.

Council submitted that:

Development along Mickleham Road and Mt Ridley Road must provide a sensitive rural interface through design treatments, which include a landscaped nature strip between the row of housing and road reservation.

Council sought that Requirement R4 be amended to include:

- a landscaped nature strip (3-4 metres) behind the arterial road reserve boundary, then a local road and housing
- reference to the provision of an internal loop road and an indicative cross section.

Peet and Henley sought to amend Requirement R4 to make it clear that the landscaped strip is to be provided within the existing road reserve for Mickleham Road (which is 60 metres wide along the PSP frontage).

VPA clarified that the intention is for the landscape strip to be included in the arterial road reserve, which is clear from the Mickleham Road interface cross-section provided in the Part A PSP.

One submission sought confirmation that the trees along Mickleham Road (the Avenue of Honour) would be retained. The VPA submitted that the Mickleham Road reserve sits outside the PSP and the ongoing management of the road reserve including the Avenue of Honour is the joint responsibility of Council and DoT. The VPA proposes to update Plan 10 in the PSP to not reference trees located outside the PSP, such as those within the Mickleham Road reserve.

(iv) Discussion and findings

The vision of the PSP seeks to provide a sensitive built form interface to rural land west of Mickleham Road and the Urban Growth Boundary. There was no dispute that the Mickleham Road interface required clarity on the interface treatment, and it was generally agreed that a cross section would provide clarity.

Some submitters called for a cross section of Mickleham Road that showed the full width of the road reservation, and the ultimate (duplicated) configuration of the traffic lanes on Mickleham Road. The Committee considers that it is the interface with the PSP that is important, and the cross section does not need to reflect the full nor the ultimate cross section of Mickleham Road, provided the vision for the eastern interface of the road reserve with the PSP is clearly demonstrated. The Committee considers that the cross section included in the Part A PSP achieves this purpose. In any event, as discussed in Chapter 3.11(i), more work is needed before a final cross section of the trafficable parts of Mickleham Road can be provided.

With the inclusion of the cross section, the Committee does not consider that any further adjustments are required to the Vision, Objectives or Requirements in the PSP.

The Committee finds:

- The Committee supports the Mickleham Road interface cross section included in Part A PSP and does not consider that any further adjustments are required to the Vision, Objectives or Requirements in the PSP.

8.3 Boundaries of Conservation Area 29

(i) What is proposed?

The PSP proposes to show the boundaries of Conservation Area 29 as currently approved (see Figure 3). Agreement has been reached between Stockland, the VPA, Council and DELWP to amend the boundaries as shown in Figure 17 below. Approval has been sought from the Commonwealth Government, but not yet granted.

Figure 17 Stockland alternative Place Based Plan based on Conservation Area boundary realignment

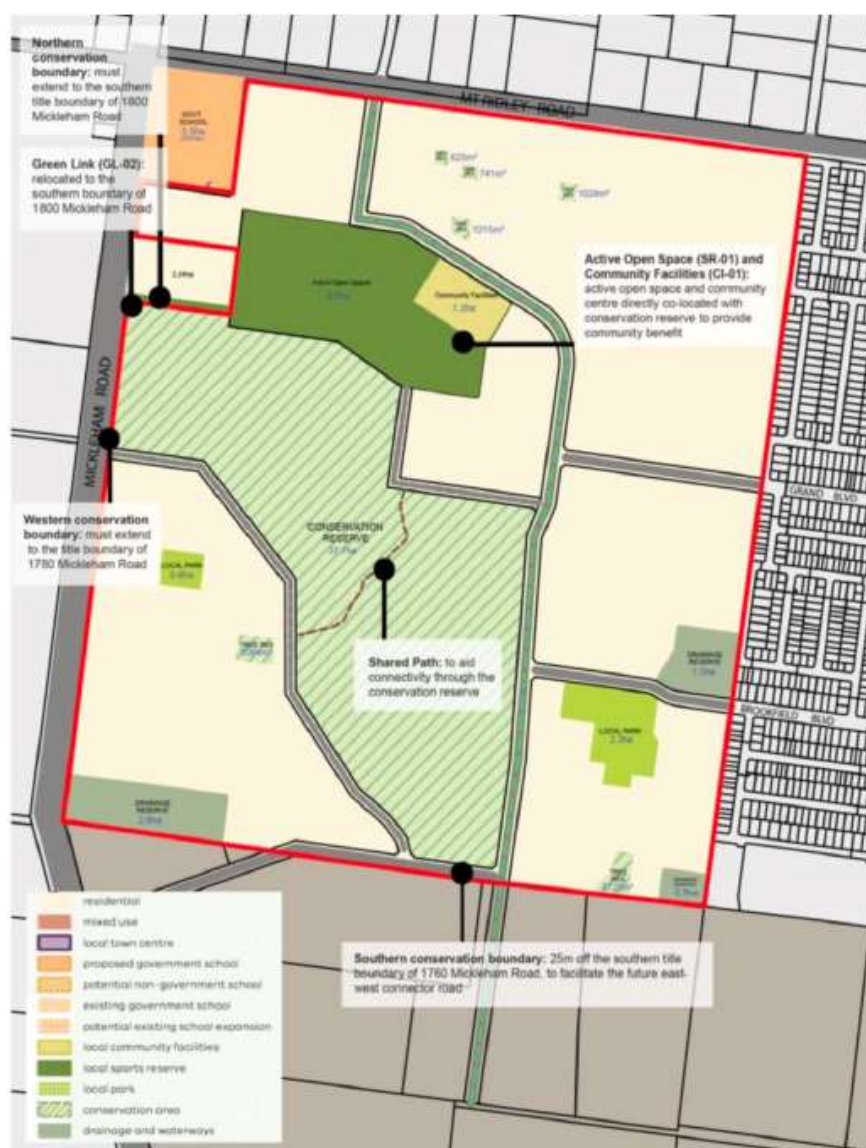


Figure 1: Proposed Place Based Plan demonstrating Conservation Reserve boundary amendment and subsequent co-location of the Active Open Space and Community Facilities.

Source: Stockland opening submission (Document 66 Attachment 1)

(ii) The issue

The issue is:

- whether the realigned boundary should be shown in the PSP in advance of formal approval from the Commonwealth Government.

(iii) Submissions

Stockland submitted pre-lodgement discussions about the boundary realignment have occurred and the Commonwealth Government may determine the application within weeks. It submitted that there is no dispute that the boundary should be realigned, and listed multiple benefits:

- it presents an opportunity to improve the PSP layout by:
 - relocating SR-01 to provide a buffer between the Conservation Area and residential development

- providing a green link along the north south connector to Mt Ridley Road (connecting the Conservation Area and broader open space network)
- setting back the southern boundary of the Conservation Area from the southern boundary of Parcel 6, to accommodate the east west connector
- providing for a new shared path through the Conservation Area to aid connectivity to the north
- it broadly reflects Council’s ‘focus on best value understorey’ option, described as Option 4 in the Advice on Boundary Options prepared for the Council by Steve Sinclair, ecologist of the Arthur Rylah Institute, dated 29 May 2020
- the realignment has clear ecological and planning benefits compared to the original alignment.

The VPA supported the intent of the boundary review to ensure the best quality vegetation is retained within the Conservation Area but submitted that it would be premature to amend the PSP layout as proposed by Stockland until Commonwealth approval was granted. However, the VPA commented on certain elements of Stockland’s alternative layout:³⁸

- the relocation of SR-01 has merit
- the extension of the boundary to Mickleham Road would need to retain space for a shared path
- the provision of a shared path through the Conservation Area would be a benefit, although this is beyond the scope of the Committee’s consideration of the PSP
- other elements were supported “*subject to discussion with the City of Hume*”.

The VPA acknowledged that a planning scheme amendment may be required to update the PSP and zone maps to reflect the revised boundary (once approved), but the impact of this should be minimal given the affected land is in single ownership (Stockland), who supports the proposal.

Ms Remington opposed the boundary realignment.

(iv) Discussion and findings

In its opening submissions, Stockland acknowledged that the precise location of the realigned boundary has not been approved by the Commonwealth, but this was no impediment to the Committee considering and endorsing the changes shown in Stockland’s alternative layout.

Stockland went further in its closing submissions, suggesting that the changes are highly resolved and sufficiently detailed in form and dimension to be clearly identified on the PSP plans. It submitted that the Commonwealth’s approval is “*essentially a formality*”, and any further changes to the boundaries would likely be very minor and would only affect Stockland. It submitted that the “*balance of convenience lies with the incorporation of the proposed changes into the PSP*”, and that “*the PSP documentation should reflect the right strategic outcome, even where there is a degree of uncertainty that the outcome can be achieved*”.

The Committee does not agree that it would be appropriate to amend the Conservation Area boundaries, and adjust the PSP layout on that basis, until the boundary change is formally approved by the Commonwealth. While it may only be a formality as Stockland suggests, the Committee has not received any material from the Commonwealth indicating in principle support for the realignment.

³⁸ See the VPA’s Part B submission and the updated Submission Response Table attached to the Part B submission

The boundary realignment and adjustments to the PSP layout proposed by Stockland are relatively significant. If the boundary realignment is not ultimately approved, the Committee doubts that permit applications based on the existing approved alignment and layout could be said to be 'generally in accordance with' the PSP.

In terms of the 'balance of convenience' as Stockland put it, a future amendment to reflect the approved realigned boundaries would be administrative in nature, and the Committee considers it would be a suitable candidate for an exemption from the usual notice and exhibition requirements under sections 20(2) or 20(4) of the PE Act. Only one landowner (Stockland) is materially affected by a change to the Conservation Area boundaries, and Stockland has already been consulted and supports the changes.

In terms of the consequential adjustments to the PSP layout proposed by Stockland, the Committee observes:

- conservation areas are typically adjacent to residential development in PSPs. The Committee is not persuaded that a buffer beyond a 20 metre wide public road (as required under this and other PSPs) is necessary
- impacts of the relocation of SR-01 in the residents of Lindum Vale requires further consideration, as discussed in Chapter 6.3
- setbacks from property boundaries may have some merit, but the PSP already provides for separation by public roads. The relationship between the Conservation Area boundaries and the adjacent roads and (in the case of Mickleham Road) shared path are matters of detail to be resolved through discussions with the VPA, Council and the relevant road authorities
- a green link and a shared path through the Conservation Area can be provided whether it is in the form currently approved by the Commonwealth, or in the amended form
- while the Committee acknowledges that the boundary realignment is supported by DELWP, the Committee did not have sufficient information or evidence before it to make a definitive finding as to whether the realigned boundaries would deliver a superior ecological outcome.

The Committee finds:

- The merits of the boundary realignment are not a matter for the Committee, and the Committee makes no findings about whether or not the realigned boundaries offer ecological advantages.
- The realigned boundaries of the Conservation Area should not be shown in the PSP until such time as they are approved by the Commonwealth.

8.4 Kangaroos

(i) What is proposed?

The key objective of the Kangaroo Management Strategy (KMS) is to provide guidance on the best practice management actions that will need to be implemented by individual developers during the development of the precinct, so that risks to human safety and the welfare of the existing Eastern Grey Kangaroo population within the precinct can be appropriately managed.

The KMS is a standalone document that is referenced in the UGZ12, which requires individual Kangaroo Management Plans (KMPs) to be prepared for each development application:

Kangaroo Management Plan

For an application to subdivide land, a Kangaroo Management Plan prepared to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning that:

- addresses the recommendations of the Eastern Grey Kangaroo Strategic Management Plan: Craigieburn West Precinct Structure Plan (PSP 1068), Craigieburn prepared by Ecology and Heritage Partners, dated November 2020; and includes:
 - Strategies to avoid land locking kangaroos, including staging of subdivision;
 - Strategies to minimise animal and human welfare risks;
 - Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location; and
 - Actions to address the containment of kangaroos to ensure adequate animal welfare.

(ii) The issue

The issue is:

- whether the KMS should provide for road crossings for kangaroos over or under Mickleham Road.

(iii) Evidence and submissions

The VPA submitted that the best approach to managing the existing kangaroo population in the precinct is the provision of a KMS with development specific KMPs, an approach adopted in other PSPs. The VPA explained that the KMS is currently a draft document and that it will produce a final version of the KMS in due course.

Mr Organ's ecology evidence was that the key component of the KMS that informs the type and content of the individual KMPs is the decision-making flowchart detailed in his statement. He added that developments may require either an abridged, standard or detailed KMP depending on the circumstances, and the key areas that need to be addressed in each plan are outlined in the flowchart.

Mr Organ informed the Committee that the in-situ conservation of the kangaroo population is not an objective of the KMS because as the area develops there will be a significant reduction in availability and accessibility of habitat. Urban development will also result in a number of significant barriers to the movement of kangaroos within and outside the precinct. He added:

Any residual population within the precinct after the development will require ongoing and intense management, and most likely require invasive population control techniques (e.g. culling, fertility control or relocation / translocation). Indeed, this is consistent with urban areas around Melbourne and other regions where extant populations have and continue to require ongoing management.

Council submitted that a population of kangaroos may persist in the precinct when fully developed even though this is not an objective of the KMS. Council stated:

A simple inspection of an aerial plan reveals large swaths of habitat including food and water to the east and to the west of the Craigieburn West PSP (less water to the west). In that context, it is important that that a safe passage across Mickleham Road is provided notwithstanding that the primary strategy does not include maintaining an in-situ population. Council is aware of populations of Kangaroo in urban areas further east for instance at the nearby golf course.

Council recommended that a transport project comprising an underpass of Mickleham Road should be contemplated and be provided by the State as part of the Mickleham Road duplication because it could not be provided by any one developer.

Council submitted that the provisions in the UGZ12 relating to the approval of the KMPs do not sit well with each other because they require an approved KMP to be submitted after the grant of a permit. Council recommended the following change:

In **Part 4.0** delete the Condition and requirement for Kangaroo Management Plan and insert the following new condition:

“The development (including subdivision) of the land must be conducted in accordance with the approved Kangaroo Management Plan to the satisfaction of the Department of Environment, Land, Water and Planning.”

The VPA did not support Council’s proposal for a kangaroo crossing of Mickleham Road:

Based on the Kangaroo Management Strategy’s specific objective of reducing kangaroo and human interaction, an in-situ population is not supported. If an in-situ population is not supported, there is no need for a permanent crossing solution for Mickleham Road i.e. culvert.

The VPA added that sequencing development through the PSP is not appropriate, although it acknowledged that an interim solution may be required as the kangaroo population is “*staged out of the area.*”

In its Part C submission, the VPA partially accepted Council’s proposed drafting changes to the UGZ12 agreed to delete the application requirement in Clause 3.0 of the UGZ12 and include a revised permit condition in Clause 4.0.

(iv) Discussion and findings

The Committee accepts Mr Organ’s evidence that the in-situ conservation of the kangaroo population is not (and should not be) an objective of the KMS and that the basis for the KMPs is to effectively encourage the mobs to relocate. However, one of the significant barriers to the movement of kangaroos is Mickleham Road.

The development of the precinct will take place over a number of years, which means that the KMPs, if successful, will take a number of years to achieve their ultimate goal of the relocation of the kangaroo population. In the meantime, Mickleham Road will continue to contain significant traffic volumes.

At some stage the duplication of the road will occur. A duplicated Mickleham Road may present a more significant barrier to kangaroo movement than congested single land road. Consequently, if the KMPs have not achieved the objective of relocating the kangaroo population before the duplication of Mickleham Road occurs, then, what Mr Organ referred to as invasive population control techniques may become necessary. Mr Organ informed the Committee that these invasive techniques are generally not supported. Alternatively, a mechanism to allow the kangaroos to cross Mickleham Road, such as Council’s recommended underpass, could be employed.

In the Committee’s view an underpass has merit if it can be delivered as part of the Mickleham Road duplication and if there is a population of kangaroos remaining in the precinct at that time. However, there is no way for the Committee to know if there will be a residual kangaroo

population at that time. Further, the duplication of Mickleham Road is not part of the PSP and is beyond the Committee's remit.

Consequently, the Committee is unable to support Council's recommendation other than to agree that it is a matter that should be reviewed at the design stage of the duplication of Mickleham Road, when an assessment can be made of the existing kangaroo population remaining in the precinct.

With respect to the changes to the UGZ12 recommended by Council, the Committee is satisfied that the Part C changes proposed by the VPA are appropriate and address the issue raised by Council.

The Committee finds:

- The KMS should not provide for road crossings for kangaroos over or under Mickleham Road, but this should be reviewed at the design stage of the duplication of the road.
- The changes proposed by the VPA to the kangaroo provisions of the UGZ12 are appropriate.

8.5 Local Town Centre

(i) What is proposed?

The PSP includes:

- a LTC on Parcel 23 (Hawthorn Developments), adjacent to a government primary school on Parcel 24 (Pask)
- mixed use areas on both Parcel 23 (between Aitken Creek and the LTC) and Parcel 24 (between the creek and the school)
- floorspace requirements for the LTC (6,000 square metres of retail floor space and 1,000 square metres of commercial floorspace) (R38 and Table 6)
- performance requirements and design guidelines for the LTC and any additional Local Convenience Centres (LCCs) (Table 7).

The Part A changes included a reduction in the land area for the LTC from 3.0 NDHa to 2.6 NDHa.

The PSP does not contain a concept plan for the LTC.

(ii) The issues

The issues are:

- the size of the LTC
- whether the PSP should include a concept plan for the LTC
- whether the PSP should include additional design guidelines for LTCs and LCCs
- whether the mixed use areas are appropriate.

(iii) Size of the Local Town Centre

Hawthorn Developments submitted that the land area requirement in Table 7 should be more flexible to support outcomes that cater to the role of the LTC in meeting the needs of an evolving community. It provided a copy of advice from Deep End Services recommending a retail core of 2.1 to 2.5 hectares, including car parking and a town square, and submitted that Table 7 in the PSP should be amended to specify 2.1 to 2.5 hectares. It submitted that a minimum land size of 3

hectares could see empty or underutilised commercial buildings, and reducing the size of the LTC would allow for more high and medium density housing (which is encouraged by the Town Centre Design Guidelines) and assist in achieving the VPA's revised density of 25 dwellings per NDHa within the walkable catchment.

The VPA Part A changes included a reduction in the size of the LTC from 3 hectares to 2.6 hectares, but the VPA did not support any further reduction in the size of the LTC. It submitted that the size is appropriate and generally consistent with the VPA's advice from MacroPlan (on which the PSP was based), and Hawthorn Developments' advice from Deep End Services.

On balance, the Committee considers that the Part A changes are an appropriate response to the submission from Hawthorn Developments and the advice from Deep End Services. If, over the course of the precinct's development, not all of the land in the LTC is needed for commercial purposes, the underlying Commercial Zone is flexible and allows residential and mixed uses.

The Committee finds:

- Further changes to the size of the LTC, beyond the Part A reduction to 2.6 hectares, are not justified.

(iv) Concept plan

Council submitted that the PSP should include a concept plan to guide the future development of the LTC. In the absence of a concept plan, the UGZ12 should include a requirement to prepare a concept plan before a permit can be granted for land in the LTC.

The VPA submitted that a concept plan for the LTC would not assist as plans are only indicative, providing a visual illustration of the design principles. It submitted that this is only a LTC with relatively few 'moving parts', and around two thirds of the retail space will be taken up by a full line supermarket. It submitted that in these circumstances, the design principles in Table 7 were a more appropriate mechanism to guide the future development of the LTC. Applications could be assessed against the design principles without the need for a concept plan under the UGZ12.

Hawthorn Developments was supportive of the VPA's position.

The Committee agrees with the VPA that a concept plan would not add much value in this case. The LTC in this case is small in size, in single ownership and will be largely taken up by a supermarket. The connections to the LTC and surrounding land uses are well resolved in the Place Based Plan. The design principles in Table 7 and Appendices 4.3 and 4.4 of the PSP are detailed and will adequately guide the development of the LTC.

The Committee finds:

- There is no need to include a concept plan for the LTC in the PSP.

(v) Additional design guidelines

Mr Fetterplace's evidence was that it is typical for a PSP to include a concept plan for LTCs, and while he did not think this was necessary in Craigieburn West, he did consider that additional design guidance is required relating to the potential interface and amenity conflicts between residential land use and commercial activities. He considered that an additional dot point should be added to Table 7:

The design and layout of the local town centre should have regard for the potential to cause adverse amenity impacts on the surrounding residential area and public realm (including linear open spaces) as a result of the location of back-of-house areas,

deliveries and refuse storage and collection. Subdivision design and development should minimise adverse amenity conflicts.

The VPA considered that the issue of amenity conflicts is already adequately dealt with in Principle 9 in Appendix 4.3, which includes:

Principle 9 Create a sense of place with high quality engaging urban design.

- Design developments to complement and enhance the character of the surrounding area ...
- Minimise amenity and noise impacts resulting from the mix of uses by maintaining appropriate separation and transitional areas between retail and housing activities using open space, road networks and community facilities.
- ...
- Screening of centralised waste collection points should minimise amenity impacts on adjoining areas and users of the centre.
- Where service areas are accessible from car parks, they should present a well-designed and secure facade to public areas.
- Mechanical plant and service structure roofs should be included within roof lines or otherwise hidden from view.

The Committee agrees that the existing design principles deal with amenity conflicts adequately.

The Committee finds:

- There is no need to add a further design principle dealing with amenity impacts of uses within the LTC on surrounding residential areas.

8.6 Community uses on the Universal Syrian Orthodox Church site

(i) What is proposed?

The Universal Orthodox Syrian Church owns Parcel 25, a large (over 16 hectares) site to the east of the LTC and government primary school. The site is almost entirely within the walkable catchment. There is currently a church on the site which is proposed to continue operating. The Syrian Church proposes to expand the church complex into a community hub, with additional community based services and complementary land uses, as well as some residential subdivision.

(ii) The issue

The issues are:

- whether the PSP responds appropriately to facilitating community uses on the site.

(iii) Evidence and submissions

The Church submitted that the site has an important role in serving the existing and future communities. It generally supported the PSP, particularly its recognition of the existing church use, and its unlocking of opportunities for urban development and infrastructure provision. It submitted that the LTC and school are complementary to the current and future uses envisaged on the site, and that the envisaged non-residential uses it proposes to establish on the site are permissible under the RGZ (the applied zone within the walkable catchment) and can be appropriately designed to be compatible with the surrounding land uses including the school and residential subdivisions.

The Church submitted that Principle 4 in the LTC design principles directs childcare centres and medical centres to be located within or at the edge of the LTC, which is too narrow and unduly restrictive:

For example, we consider that it is entirely appropriate for a childcare or medical centres to be located on the subject site which is located within the walkable catchment of the local town centre and offers synergies and convenient traffic / pedestrian movement with the Church, being a complementary and co-located land use.

The Church requested that the 10th dot point under Principle 4 of the LTC design principles be updated by adding the underlined words:

- Locate childcare, medical centres and specialised accommodation (for example, aged care, nursing home, student accommodation, and serviced apartments) within or at the edge of the local town centre, to contribute to the centre's activity and the resident's access to services. Outside the local town centre, such uses should be located within a walkable catchment or co-located with existing or future community facilities such as a Place of Worship.

The VPA submitted in response that it would not be appropriate to include advice on what uses can be established outside the LTC in design objectives for what is to be established in the LTC. However, it agreed to add the following text at G62:

Subdivision and development should facilitate integration of schools, sports reserves and community facilities where they are co-located and promote:

- Integration with neighbouring facilities to maximise efficiencies through the sharing of car parking and other complementary infrastructure.
- Out-of-hours use, street activation and permeability.
- Safe and convenient pedestrian and cyclist shared path access.

Educational, community or civic infrastructure not shown on Plan 11 should be located within or proximate to a town centre, local convenience centre, community hub, or council community building or existing Place of Worship as appropriate.

As noted in Chapter 5.3, the Church expressed some concern in relation to Mr Fetterplace's proposal to retract the extent of walkable catchment on the site, noting that it may be more difficult to establish the community uses envisaged by the Church under the GRZ than the RGZ.

(iv) Discussion and findings

The Committee agrees that an expansion of the existing church on the site to create a complex with additional community based uses would be a suitable use of the site. The site is well located to the LTC and school, and an extended community hub in this location would complement the neighbouring land uses and could benefit the future community of Craigieburn West.

The Committee agrees with the VPA that the more appropriate location for wording in the PSP to encourage these uses is Guideline G62 rather than the LTC design principles. The Committee supports the additional wording proposed by the VPA.

With regard to the walkable catchment, the Committee has found in Chapter 5.3 that there is no need to retract the eastern boundary of the walkable catchment within the Church site. If the VPA disagrees, part of the site will end up with an applied zone of GRZ rather than RGZ. Both zones have the following among their purposes:

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Medical Centre and Place of Worship are section 1 uses under both the RGZ and the GRZ (albeit as of right medical centres are subject to a floor space limit of 250 square metres). Child care centre and place of assembly are section 2 uses in both. On that basis, the Committee considers that the applied zoning on the Church site (GRZ or RGZ) is unlikely to make any material difference to the establishment of community based uses on the site in future.

The Committee finds:

- The more appropriate place to recognise the potential for community based uses on the Universal Syrian Orthodox Church site is Guideline G62, rather than the LTC principles. The Committee supports the VPA's Part C additions to Guideline G62.

8.7 Non-residential uses on the SVR2 site

(i) What is proposed?

SVR2 Pty Ltd owns Parcels 21 and 22, on the northern corner of Mickleham Road and Craigieburn Road. The land is identified for residential by the PSP. SVR2 is contemplating uses on the site suited to passing traffic, such as service station, convenience restaurants, medical centre and child care centre.

Guideline G69 states:

Additional local convenience centres may be considered subject to demonstrating that they do not compromise the role and function of the nearby Local Town Centres, to the satisfaction of the responsible authority.

Requirement R9 states:

Vehicle access to lots fronting arterial roads must be provided from the local internal loop road or rear lane, to the satisfaction of the Road Authority.

(ii) The issue

The issue is:

- whether the uses proposed by SVR2 could be considered a LCC, and whether additional wording should be added to distinguish them from a LCC.

(iii) Submissions

SVR2 supports the residential designation of its land but submitted that the site is at the junction of two primary arterial roads which will (in their ultimate configurations) each be six lanes plus turning lanes at the intersection. It submitted that the use of the site for residential purposes is therefore heavily constrained by noise and amenity impacts.

It submitted that the site is, however, well located for convenience and complimentary uses to serve the PSP and the broader community, given its location at a junction of main roads.

SVR2 acknowledged that the uses under contemplation are all permitted under the applied GRZ (subject to a permit). However, it was concerned that the proposed uses might not be regarded as appropriate having regard to the residential designation of the land.

SVR2 noted that what constitutes a LCC is not defined in the PSP, or the PSP Guidelines. It submitted that there was a risk that the cluster of uses proposed by SVR2 could be interpreted as a LCC and would be assessed against the performance criteria for a LCC in Appendix 4.4 of the PSP. It was concerned that the performance criteria discourage uses that are typically accessed by car,

making it difficult to obtain a permit. Difficulties may also arise because the site is an ‘out of centre’ location.³⁹

To overcome these difficulties, SVR2’s submission to the draft Amendment sought that the PSP identify its site as a suitable location for the proposed uses. It submitted to the Panel that as an alternative, the PSP should clearly distinguish between clusters of uses such as those proposed by SVR2 and a LCC, with a guideline to the effect of:

Local Convenience Centres are neighbourhood-based retain centres that offer convenience access to goods and services for their local communities. They differ from clustered commercial uses that are designed to cater for car-dependent uses such as convenience restaurants, convenience shops and service stations.

It also requested that Requirement R9 be reworded as follows:

Vehicle access to lots fronting arterial roads must be provided from a local internal loop road, rear lane or service road to the satisfaction of the responsible authority.
Direct access may be considered on an individual basis considering the relevant land use and to the satisfaction of the Department of Transport.

Council opposed a convenience type centre establishing at the SVR2 site away from the LTC. It acknowledged that while a service station may be appropriate, a clustering of facilities that may be better located within or adjacent to the LTC would not be appropriate.

The VPA submitted that all of the uses nominated by SVR2 are permissible under the GRZ. It submitted that identifying a particular non-residential use(s) in one location could infer that the use(s) in other locations, although permissible, are discouraged. For example, if the SVR2 site is identified as a potential medical centre or service station, how would a meritorious application at another location be assessed?

The VPA submitted that on that basis, it would not be appropriate to identify the SVR2 site as a preferred location for a centre of the nature proposed. Nor did it support an additional guideline distinguishing the proposed cluster of uses from a LCC, as they may compete with the LTC in the early period of the PSP establishing.

(iv) Discussion and findings

The Committee was not persuaded that the types of uses proposed by SVR2 should not be regarded as a LCC. Uses such as a medical centre and child care centre may well be considered a LCC, particularly if they are clustered together. The Committee accepts the submissions from both Council and the VPA that there is the potential for such uses to compete with the LTC, and to delay its early establishment.

The Committee considers that the merit of establishing these types of uses on the SVR2 site should be assessed through the permit process, against the purposes of the GRZ, and the objectives and principles of the PSP including those that seek to encourage a vibrant and viable LTC within the PSP.

If, however, a proposal for non-residential use on the SVR2 site is assessed against the purposes of the GRZ and the principles and objectives of the PSP and found to be appropriate, there may be

³⁹ SVR2 cited *TAG-Doreen P/L v Whittlesea CC* [2016] VCAT 1769 as an example of where VCAT had rejected an application for a service station in the Mernda PSP, primarily on the basis that the PSP directed commercial uses into the PSP’s activity centres.

some merit in the use having direct access off an arterial road. The Committee therefore supports SVR2's proposed additions to Requirement R9.

The Committee finds:

- The Committee was not persuaded that it would be appropriate to either designate the SVR2 site as suitable for any particular non-residential uses, or to include guidelines in the PSP that seek to distinguish the proposed uses from a LCC.
- The Committee supports SVR2's proposed additions to Requirement R9.

8.8 Bushfire issues

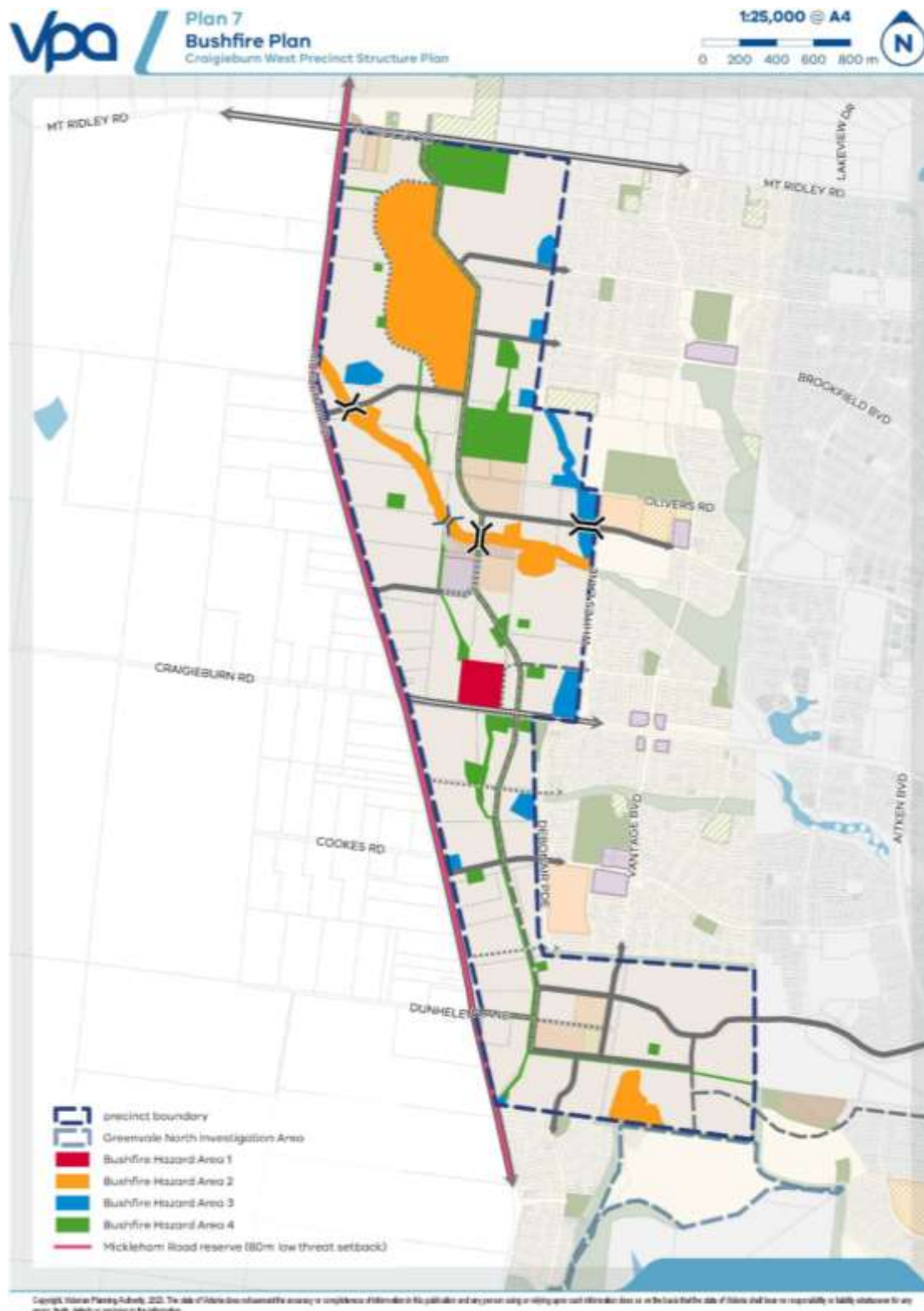
(i) What is proposed?

The PSP classifies the areas in the precinct that present a bushfire hazard from Hazard Area 1 (highest) to Hazard Area 4 (lowest). These are shown on the Bushfire Plan (Plan 7), extracted in Figure 18 below.

Generally speaking:

- Bushfire Hazard Area 1 is applied to areas where the vegetation is classified as Woodland, for example LP-09
- Bushfire Hazard Area 2 is applied to areas where vegetation is classified as Grassland and where the grassland is expected to remain, such as natural waterways
- Bushfire Hazard Area 3 applies to drainage reserves where there is expected to be vegetation but not in a state to pose a hazard
- Bushfire Hazard 4 is similar in that the open space to which it applies will be managed as low threat vegetation by virtue of the intended use of the land.

Figure 18 Bushfire Plan



Source: Exhibited PSP

Table 4 in the PSP defines the setback requirements for each Hazard Area needed to manage the bushfire risk.

Figure 19 Setbacks required for different Bushfire Hazard Areas

Table 4: Bushfire hazard vegetation management & setback requirements

	BUSHFIRE HAZARD AREA 1	BUSHFIRE HAZARD AREA 2	BUSHFIRE HAZARD AREA 3	BUSHFIRE HAZARD AREA 4
Vegetation management class	Woodland	Grassland	Low threat	Low threat
Setback distance from bushfire hazard area	33m	19m	0m	0m

Source: Exhibited PSP

Bushfire requirements and guidelines are set out in Section 3.3.3. These include (with Part A changes underlined):

R22 Development adjoining bushfire hazards shown on Plan 7 must be setback in accordance with Table 4.

However, a lesser setback may be considered subject to a site-specific assessment of bushfire risk, vegetation classifications and setbacks to the satisfaction of the Responsible Authority and relevant fire authority.

Requirement R23 sets out a prescriptive list of vegetation management measures within a setback to a Bushfire Hazard Area. The VPA proposed deleting R23 in its Part B submission.

The Committee notes that the VPA did not receive a submission from the Country Fire Authority or Fire Rescue Victoria which would in the usual course of a PSP inform the VPA's response to specific matters raised in submissions.

(ii) The issues

The issues are:

- whether the hazard levels are appropriate
- whether the setback requirements are appropriate
- whether the requirements and guidelines in Section 3.3.3 are appropriate.

(iii) Evidence and submissions

The bushfire management provisions within the PSP were queried by eight submissions.⁴⁰ Broadly, these submissions raised concerns about the rationale used for the classification of bushfire hazard, the size of setbacks from the hazard, the management of the buffers, the impact of buffer allocation on developable area and the management of waterways.

For example, JAK submitted that the revision of a drainage corridor type (natural or constructed) may also result in a change in the bushfire hazard classification of a particular corridor as identified in Plan 7 and Table 4. It submitted that flexibility should be allowed to respond to these types of changes.

The VPA supported the principle of allowing further detailed assessment at permit stage to potentially reduce the setbacks required in Table 4, and the Part A changes include modifications to Requirement R22 to that effect as outlined above.

⁴⁰ Submissions 16, 17, 18, 25, 28, 29, 38, 40.

The VPA called Hamish Allan to present expert evidence in relation to bushfire risk. Mr Allan observed how *“the extent of BAL-LOW land has increased to the east of the precinct, and additional lots and roads have also been created for residential development, mainly in the Craigieburn (R2) PSP area”*. This observation supported the position presented in submissions that the bushfire hazard is likely to reduce as development increases. That said, Mr Allan’s evidence was that if open space and drainage reserves *“are large enough and not managed in a low threat state, they may comprise a hazard for any adjacent houses, and if they pose a Grassland hazard, 19m setbacks for BAL-12.5 development may be needed.”*

Mr Allan highlighted some areas for clarification and improvement in the bushfire requirements in Section 3.3.3 of the PSP.

Requirement R21 states:

Vegetation within Bushfire Hazard Areas shown on Plan 7 must be managed in accordance with Table 4.

Mr Allan considered Requirement R21 to be unclear and could be improved but assumed that:

... it means that a Bushfire Hazard Area 1 must pose no more than a Woodland hazard in accordance with the definitions for Woodland in AS 3959-2018, and similarly, that a Bushfire Hazard Area 2 must pose no more than a Grassland hazard. It follows that Bushfire Hazard Area 3 and 4 land must be managed in a low threat state.

Mr Allan noted that the rationale for delineating the four Bushfire Hazard Areas is not provided and agreed with Council that Table 4 should be modified to clearly refer to Australian Standard AS 3959 – 2018 which is where the relevant classifications are found and described.

Mr Allan presumed that Requirement R22 aims to ensure that the design of subdivisions will result in buildings requiring a BAL (Bushfire Attack Level) construction standard and commensurate setback from an identified bushfire hazard, achieving the minimum BAL12.5 standard that applies in a Bushfire Prone Area. He supported the additional flexibility provided by the Part A changes to R22, noting that an identified Bushfire Hazard Area 1 or 2 *“may not in fact pose a Woodland or Grassland hazard, and therefore, lesser setbacks may be appropriate.”* Mr Allan also stated that *“if areas in the precinct are excised from the Bushfire Prone Area the setbacks should not be required”*.

Mr Allan also noted that the reference to ‘development’ in R22 could include roads and other features or structures that would be otherwise acceptable in a BAL setback area. Council suggested the use of the words ‘habitable building’ in lieu of ‘development’ as a means of clarification. The VPA adopted this suggestion which is included in the Part C changes to Requirement R22. The Committee supports this approach.

Mr Allan noted that the vegetation management standards specified in Requirement R23 are a variation on the standards required for defensible space in the Bushfire Management Overlay.⁴¹ He noted that the variation relaxes the requirement for tree canopy separation from 5 metres down to 2 metres however:

... they are still very, and arguably overly, onerous, e.g no shrubs would be allowed to occur under trees. This may not be practical not even required and is not specified how this requirement would be enforced.

⁴¹ Stipulated in Table 6 to Clause 53.02-5

In response to questioning, Mr Allan indicated that there is “*no real bushfire science*” underpinning the defensible space conditions. His view was that Requirement R23 was arguably unnecessary as it is reasonable to assume in an urban environment that all the vegetation is likely to be low threat. Further, the Responsible Authority could ask for a landscape plan at the permit application stage. In response to Mr Allan’s evidence, the VPA proposed deleting Requirement R23 in its Part C changes. The Committee is comfortable with this approach.

Mr Allan’s evidence was that the intentions of Guidelines G36 to G41 are worthy but the wording lacks clarity about the logic behind the requirement or guideline and the desired outcome. Specifically, he:

- questioned the need for Guideline G36, noting it is vague and lacks specificity about its purpose and outcome
- supported Guideline G37 in principle but noted that half of the specified Bushfire Hazard Areas are designed as low threat areas therefore there is likely no need for perimeter roads
- supported Guideline G38 in principle
- noted that the meaning of ‘public land’ in Guideline G39 is unclear and suggested that it should be reworded to allow for road reserves and communal land or public open space to contribute to or achieve setbacks
- supported Guideline G40 in principle, although questioned why this would apply to Bushfire Hazard Area 3 and not Bushfire Hazard Area 4 as both are identified as comprising low threat vegetation (in his view it is not likely to be needed in either)
- supported in principle the intent of Guideline G41, although noted it will not be achieved in Bushfire Hazard Areas 1 or 2 and it somewhat overlaps with Guideline G36.

In response to Mr Allan’s critique the VPA proposed a number of changes to the guidelines which are reflected in the Part C changes. The Committee considers that they generally address Mr Allan’s concerns and improve the clarity of the provisions.

Plan 7 identifies the Conservation Area as Bushfire Hazard Area 2, based on its Grassland classification. Council expressed concern that the Conservation Area may not be managed as grassland going forward. It referred to an example in Merrifield West PSP where the natural recruitment and regeneration in a conservation area is increasing the density of trees and will, over time, change the bushfire designation from Grassland vegetation to Woodland, and yet the planning and development of the adjacent subdivision has only provided a bushfire buffer associated with a Grassland vegetation type. Council expressed the view that these types of areas should be dealt with at the more conservative level of hazard classification until the future land ownership is known.

The DELWP Melbourne Strategic Assessment team, which is responsible for the Biodiversity Conservation Strategy and the ongoing management of conservation areas, submitted that:

- the classification will remain accurate given the context of the conservation areas being reserved for the protection of Grassy Eucalypt Woodland with some canopy restoration to occur (up to 20% cover).
- any fire buffer requirements will be outside the conservation area so that there is no pressure for this to be in the conservation area.

In response, the VPA advised that further discussion and investigation was required, potentially including with the Country Fire Authority.

Plan 7 identifies LP-09 as Bushfire Hazard Area 1, based on its Woodland classification. Council sought for the Woodland classification of LP-09 to be altered to 'low threat vegetation' and for LP-09 to be designated as Bushfire Hazard Area 4 as:

Council intends to manage the understorey for recreation access with lawn, play spaces, paths and picnic areas as illustrated in concept plan for LP-09. It does not propose to retain native vegetation as understorey.

(iv) Discussion and findings

The Committee generally supports the approach taken by the PSP in classifying areas of hazard and prescribing setbacks and management requirements accordingly. This is a generally sound approach to address bushfire risk and provide certainty to developers in the future. It also supports the changes to the requirements and guidelines in Section 3.3.3 included in the Part C changes in response to Mr Allan's evidence.

Hazard classifications

Council's request to have the hazard level of LP-09 reclassified based on a lower threat vegetation type seems somewhat contradictory to Council's view that the hazard classification of the Conservation Area might increase over time.

In relation to the future risk posed by vegetation in the Conservation Area, the evidence of Mr Allan shows that the Conservation Area is likely to comprise grassland.⁴² The future management of the Conservation Area is the responsibility of DELWP, and the Melbourne Strategic Assessment team have questioned the validity of the vegetation classification as 'Grassland' based on the vegetation type and the conservation status of the land.

It is evident to the Committee that further discussion is required between the VPA, DELWP and Council to enable a shared understanding of the ultimate hazard that the Conservation Area is expected to pose to surrounding development. Unless otherwise agreed, the Conservation Area should be designated as Bushfire Hazard Area 1 with a required setback distance of 33 metres external to the Conservation Area. If the classification of the Conservation Area remains Bushfire Hazard Area 2, ongoing discussions should continue to ensure that the Conservation Area is managed as grassland.

This approach should apply equally to LP-09. Until such time as the understorey and overstorey elements of the vegetation to be retained, added or modified are known it is not possible to accurately assess the residual bushfire hazard. Consistent with the approach for the Conservation Area, the Committee considers that LP-09 should remain classified as a Bushfire Hazard Area 1 requiring a setback distance of 33 metres. This approach will enable the intent of Requirement R21 to be met and in the words of Mr Allan "*ensure that the design of subdivisions will result in buildings requiring a BAL construction standard and commensurate setback from an identified bushfire hazard, achieving the minimum BAL12.5 standard that applies in a Bushfire Prone Area*".

Setbacks

The dispute in relation to the setback provisions in Table 4 centred on whether the setbacks appropriately reflect the final development outcomes sought under other provisions of the PSP.

⁴² Refer to Map 1 – Updated Bushfire Hazard Site Assessment Map in Mr Allan's evidence

The Committee observed during site inspection that in Craigieburn R2, where drainage corridors have been kept in a predominantly natural form, the grassland hazard remains even after the surrounding area has been developed.

It is appropriate that the setbacks assigned to each Bushfire Hazard Area in Table 4 be used, at least as a starting point. The revised Requirement R22 enables the designated hazard depicted on Plan 7 to be varied at permit application stage. This is an appropriate mechanism when supported by a detailed assessment of the bushfire hazard pre and post development. A reduction in setback should only be permitted where the detailed bushfire hazard assessment and the proposed development plans provide certainty of the residual hazard. This aligns with AS3959 and is consistent with requirements to build in the Bushfire Prone Area.

The Committee considers that the Part A changes to Requirement R22 are an improvement. They provide for a contemporary assessment of bushfire risk based on the hazard present at the time of an application for development and offer the flexibility to reduce setbacks if considered appropriate at the time. This will allow a more nuanced assessment of the bushfire hazard based on the form of the development proposed, the form of surrounding development and the condition of the surrounding hazard areas and achieves the appropriate balance between minimising the risk to life from bushfire and facilitating development.

Requirements and guidelines

Council submitted *‘that a number of the provisions currently found within 3.3.3 should be drafted as provisions that operate as conditions on permits so that land in stages that are not due for development for some time must still be managed appropriately.’* Council submitted that if Requirement R23 and Guideline G36 were to be retained they should be specified as a condition in the UGZ12 rather than be located in the PSP. The VPA’s Part C changes deleted Requirement R23 and modified Guideline G36 appropriately, and the Committee does not consider that this should be converted into a permit condition requirement in the UGZ12.

The Committee finds:

- The hazard classification for Conservation Area 29 and LP-09 should be based on the ultimate hazard that these areas are expected to exhibit to the surrounding development. In the absence of certainty, Conservation Area 29 and LP-09 should both be shown as Bushfire Hazard Area 1 on Plan 7.
- The Committee supports the VPA’s proposed Part A and Part C changes to the requirements and guidelines contained in Section 3.3.3.
- The Part A and Part C changes to Section 3.3.3 respond to Council’s concerns regarding Requirement R23 and Guideline G36 and there is no need for an additional permit condition to be included in the UGZ Schedule.

8.9 Removal of dams

(i) The issue

The issue is:

- whether a permit should be required for the removal of an existing dam.

(ii) Submissions

Council submitted that additional permit requirements should be included for the removal of all dams, reservoirs and bodies of water that provide for:

- Assessment of the impact of removal of water points on kangaroo populations to ensure kangaroo populations are not at immediate risk of becoming land locked. This could cause significant animal welfare issues. In addition, dam removal must not occur in summer, when this could cause animals to become at risk of dehydration and cause them to move erratically through the landscape.

It proposed conditions to the effect of:

- Fill and compaction in accordance with relevant Australian Standards Dam filling and under level 1 supervision.
- The land must be filled in a manner that does not:
 - Cause a nuisance on nearby land through the emission of dust.
 - Adversely affect the drainage of adjacent land including through sediment and altered run off.
 - Alter overland flow paths.
- Following completion of fill and compaction, compaction test results and a report prepared by a suitably qualified geotechnical engineer, must be prepared to the satisfaction of the responsible authority, certifying that the filling has been properly carried out.

The VPA considered that these changes require further investigation with DELWP and Council.

Stockland submitted that it is unnecessary to include a permit trigger for the removal of dams and waterways from land. Requirements are already in place to deal with the impact on the kangaroo population, through the requirements in the UGZ12 for a KMP to accompany an application for subdivision. Stockland stated:

There is no risk that such impacts will escape consideration at the subdivision permit stage, as the removal of waterways and similar will be readily apparent at that stage, and impacts appropriately considered at that time. A further permit requirement will generate unnecessary duplication.

(iii) Discussion and findings

The Committee notes that details of any dam backfilling are required as part of the geotechnical and groundwater assessment that must accompany an application to subdivide in the UGZ12. However, this requirement only applies to the subdivision of ten or more lots or the construction of ten or more dwellings. The removal of a dam could take place independently and well before an application for subdivision which would trigger the need for a KMP. In these circumstances a separate approval would be judicious.

Consequently, the Committee agrees with Council that a permit should be required for the removal of a dam where it is proposed independent of an application for subdivision. If a permit

was required and a dam was removed as part of a subdivision application there would be no duplication because it would be rolled into the subdivision approval.

The Committee was not persuaded that there is a need for the UGZ12 to specify additional permit conditions as outlined by Council. Where the dam is being removed as part of a broader subdivision application, these technical matters can be addressed through the geotechnical and groundwater assessment. If a dam is being removed independent of a subdivision application, conditions can be considered on a case by case basis as appropriate.

The Committee finds:

- a permit should be required for the removal of an existing dam.

9 Summary of reasons and recommendations

9.1 Reasons

Chapters 3 to 8 set out the Committee’s response to the unresolved submissions referred to it. In most regards, the Committee has supported the VPA’s position on submissions and their strategic rationale and the changes proposed to address them. Significantly, the position of the VPA and changes proposed to address submissions were, in the main, supported by Council.

The Committee’s report is somewhat lengthier than initially anticipated. That said, PSPs are complex documents and there were over 66 unresolved issues which required consideration.

The Committee considers that the PSP and draft Amendment have been informed by an appropriate level of background analysis, Council input and community engagement. It considers the directions and actions set out in the PSP are broadly robust and logical.

The Amendment is appropriate and strategically justified. It uses the right tools to implement the PSP. The changes proposed by the VPA in the lead up to the Hearing (Part A changes) and resulting from it (Part C changes) further enhance the PSP and UGZ12 and are broadly supported by the Committee. The Committee has used the Part A and Part C changes as the starting point for its recommendations.

Of the many the disputed issues, the Committee supports the VPA’s position either in part or in whole on most. The Committee’s findings on these issues are briefly summarised in Table 4, along with high level reasons. Refer to the relevant chapter for a more detailed explanation of the Committee’s reasons. In some cases, the Committee’s support was conditional on further work being undertaken before the PSP is changed as proposed by the VPA. Recommendations for further work are cross referenced in the table.

The Committee has recommended several changes to the PSP and UGZ12 beyond those proposed by the VPA to address unresolved submissions and improve the workability of the PSP and Amendment tools and to better achieve the vision and objectives of the PSP. The Committee’s recommended changes and reasons on these matters are briefly summarised in Table 5. Again, more detailed reasons are set out in the relevant chapter, and the relevant recommendations are cross referenced in the table.

Where the Committee supports the VPA on some aspects of a particular issue but not others, the issue is marked with an asterisk in Table 4 and the Committee’s recommendations for changes are dealt with in Table 5.

Table 4 Summary of findings and reasons in support of the VPA’s position on disputed issues

Chapter	Finding
Traffic and transport issues	
0	Adequacy of the transport modelling - no changes required
	<ul style="list-style-type: none">- The updated traffic modelling in the One Mile Grid Addendum (revised to address the low residential density assumptions in the initial modelling, among other things) is generally appropriate to inform the design of the PSP’s transport network.- The use of a spreadsheet model rather than a strategic transport model was appropriate in this case given the modelling related to an internal network of local roads and no

Chapter	Finding
	<p>arterials.</p> <ul style="list-style-type: none"> - The trip generation rates assumed by One Mile Grid (0.9 vehicle movements per household in the morning peak) are appropriate. - The Committee supports the changes to the internal road hierarchy recommended by One Mile Grid in the Addendum and reflected in the Part A changes.
3.3	<p>Mickleham Road duplication - Recommendation 19</p> <ul style="list-style-type: none"> - While the Committee finds the existing congestion levels on Mickleham Road troubling, on balance it does not consider that it would be appropriate to delay the approval of the PSP until the Mickleham Road duplication is funded. - The Committee urges the VPA to continue an active dialogue with DoT about the Mickleham Road upgrades and to advocate for the upgrades to be brought on as soon as practicable. It has made a recommendation for further work to this effect.
3.4	<p>Left-in left-out intersections</p> <ul style="list-style-type: none"> - There is no need for the PSP to specifically deal with interim configurations of LILO intersections, or temporary LILO intersections. These are matters that can be resolved at the permit application stage with the relevant road authority.
3.5	<p>North south connector – no changes required</p> <ul style="list-style-type: none"> - The Committee agrees with the VPA that the north south connector road should be realigned as proposed in Pask Option 1, the Peet Master Plan and the Porter Davis submission. - Council opposed the Pask Option 1 on the basis that the exhibited diagonal alignment of the north south connector north of Craigieburn Road provided better place making outcomes. However, the Committee is satisfied that similar outcomes can be delivered with the Pask Option 1 alignment.
3.6	<p>East west connector through Parcels 6 and 7 – no changes required</p> <ul style="list-style-type: none"> - Three alternative alignments were put to the Committee – the exhibited alignment, the Deague alignment and the Council alignment. The VPA supported the Deague alignment. - The Committee prefers the Deague alignment as it offers a number of benefits, without impacting on the performance of the road network: <ul style="list-style-type: none"> - It will make the delivery of this important connection between Mickleham Road and the north south connector more straightforward (given the road will cross land in a single ownership). - It will avoid Parcel 7 potentially needing interim access to off Mickleham Road, that would likely become redundant (a possible consequence of the Council alignment). - It does not preclude a 20 metre wide public road frontage to the Conservation Area.
3.7	<p>Intersection capacity – Recommendation 3</p> <ul style="list-style-type: none"> - Ms Marshall considered that an interim benchmark design for intersection IN-04 may not be adequate given the traffic volumes and the results of her SIDRA analysis. - The PSP deals with land take requirements for intersections rather than matters of detailed design. Land take requirements are based on the ultimate intersection design, which is generally larger than an interim design. - The Committee therefore presumes that the land take requirement specified in Section 2.4 of the PSP for intersection IN-04 will be sufficient, but the VPA should check.

Chapter	Finding
3.8	Elevation Boulevard and intersection IN-05 – Recommendation 4 <ul style="list-style-type: none"> - Council’s proposed realignment of Elevation Boulevard and intersection IN-05 with Cookes Road (which the VPA supported) has some merit, but the Committee was not satisfied that the alternative alignment has been sufficiently investigated and tested. - The VPA should undertake further work to investigate the appropriateness of Council’s proposed realignment (see Recommendation 4). - The Committee was not persuaded by Peet’s submission that the PSP should be changed to describe intersection IN-05 as a ‘non-standard’ signalised T-intersection.
3.9	Internal intersection treatments – no changes required <ul style="list-style-type: none"> - While Council’s submission that internal intersections should be signalised in areas of high pedestrian activity has some merit, no changes to the PSP are required to facilitate this. - The request to designate intersections within Peet’s Parcels 30, 31 and 34 as roundabouts has not been justified.
3.10	Road network in the southern part of the PSP – no changes required <ul style="list-style-type: none"> - Subject to minor adjustments as proposed by the VPA in its Part C schedule of plan changes (Document 159(b)), the exhibited road network in the southern part of the PSP is acceptable. The Committee was not persuaded that Council’s alternative was a demonstrably superior outcome.
3.11	Other transport issues – no changes required <ul style="list-style-type: none"> - It would not be appropriate to include ultimate cross sections for arterial roads in the PSP as proposed by Peet and others, as the PSP does not propose upgrades to arterial roads. - Peet’s request to include a cross section for a standard laneway was not justified. - The Part C wording of Requirement R7, dealing with roads that cross linear parks, is sufficiently clear and flexible. It should not be converted to a guideline as submitted by Hawthorn Developments. - The Committee does not support showing Council’s road ‘f’ on the Transport Plan. It agrees with Stockland that the purpose of the local access street was not justified. - The Committee was not persuaded by Ms Marshall’s recommendation to include a specific requirement in the PSP for one on-street parking space per two dwellings. This requirement is already specified in Clause 56.06, and duplications of requirements in the Planning Scheme should be avoided. VCAT provides a suitable avenue of review if growth area councils seek more than the Clause 56.06 rate. - The Committee was not persuaded that including further potential internal bus routes in the PSP as proposed by Council is justified. This is a matter for DoT.
Drainage and waterway issues	
4.2	Overarching issues – no changes required <ul style="list-style-type: none"> - The PSP needs some flexibility to respond to changes in the DSSs. The Part A changes to Requirements and Guidelines in Section 3.3.1 (Integrated Water Management) of the PSP and the additional note on Plan 6 are an appropriate response. - The Committee acknowledges that the southern part of the PSP will not be able to be delivered until Satterley constructs the drainage assets on its land in True North Neighbourhood 4, and that this is unlikely until the land is rezoned and a PSP is prepared. However, it is not within the Committee’s remit to make recommendations about the timing of strategic planning for the True North Estate.

Chapter	Finding
	<ul style="list-style-type: none"> - In the meantime, the VPA's proposed note on Plan 6 in relation to the Yuroke Creek DSS is an appropriate response.
4.3	Headwater streams – no changes required <ul style="list-style-type: none"> - The appropriate treatment of the headwater streams should be determined as part of the finalisation of the Aitken Creek DSS. - The proposed amendments to the PSP provide sufficient flexibility to retain headwater streams as natural waterways, or to convert them to or replace them with constructed waterways.
4.4	Aitken Creek – no changes required <ul style="list-style-type: none"> - Consistent with its findings on the overarching drainage issues, the Committee was not persuaded that the alignment or corridor width of Aitken Creek should be altered at this stage.
0	North east tributary – no changes required <ul style="list-style-type: none"> - Consistent with its findings on the overarching drainage issues, the Committee was not persuaded that the alignment or corridor width of the north east tributary, or the location or dimensions of retarding basins along it, should be altered at this stage.
4.6	Gap Catchment – Recommendation 7 <ul style="list-style-type: none"> - The Stormwater Management Strategy developed by Stormy Water Solutions and proposed by Peet, including the revised DSS boundaries and the single asset solution for the Gap Catchment, is appropriate. - The VPA agreed that the DSS boundaries should be adjusted but did not specifically mention this in its schedule of Part C changes to the PSP plans. Recommendation 7 ensures this is covered off as the Amendment progresses.
Walkable catchment and housing density issues	
5.3	Walkable catchment boundaries - Recommendation 8 <ul style="list-style-type: none"> - The Committee agrees with the VPA's principles and approach to setting the walkable catchment boundaries outlined in its Part B submission. Recommendation 8, relating to the walkable catchment boundaries, reflects those principles and approach.
5.4	Housing densities – no changes required <ul style="list-style-type: none"> - The Committee was not persuaded that the Part A densities proposed by the VPA (25 dwellings per NDHa inside the walkable catchment and 19 dwellings per NDHa outside the walkable catchment) are too high or should be made discretionary.
Trees and open space issues	
6.3	Location of sports reserve SR-02 – no change required <ul style="list-style-type: none"> - The relocation of SR-02 into the southern part of the PSP as suggested by IRD and Mr Panozzo is not strategically justified. - The Committee supports the VPA's proposal to shift SR-02 and the government secondary school slightly to the south (rather than to the north as proposed by Council), to enable the development of a row of residential lots inside the northern boundaries of Parcels 9 and 10.
6.4	Local parks – Recommendation 9 <ul style="list-style-type: none"> - The Committee is broadly satisfied that the local park network is generally appropriate.

Chapter	Finding
	<ul style="list-style-type: none"> - The open space network is appropriately designed around tree retention, the protection of biodiversity values, the protection of place making and amenity values provided by significant vegetation, and the linking of open space as part of a continuous network. - The amount of unencumbered open space, at 5.5 percent of the net developable area, is commensurate with other PSPs in similar contexts, and is appropriate. It does not, as some submitters suggested, represent an overprovision of open space. - The Committee does not support any of the deletions, reductions or relocations of local parks sought by various submitters, other than the relocation of LP-14. LP-14 should be shifted west to be wholly within Peet's Parcel 31, preferably adjoining the green link, as requested by Peet and supported by Council. The other changes sought were not sufficiently justified. - Minor adjustments to local parks could be permitted at the subdivision stage, where warranted. Guidelines G42 and G43 provide this flexibility.
0	Green links – no changes required <ul style="list-style-type: none"> - The Committee has no doubt that over time, the value of the green links connecting retained vegetation, the Conservation Area and the local parks will positively contribute to the overall amenity of the PSP. - The overall success of the linear park relies on its strategic implementation across the PSP, with each section (green link) connecting to the next. The Committee does not support deleting any sections of the linear park, however minor alignment changes could be permitted provided the linear connectivity principle is met. The revised Guidelines G42 and G43 provide this flexibility. - The Committee does not support replacing green links with on-road links. This would not achieve the overall intent of the linear park. An on-road link would be no different to many other urban neighbourhoods and does not encourage bicycle and pedestrian use in a high amenity area.
Infrastructure issues	
7.1	Secondary school location – no changes required <ul style="list-style-type: none"> - The exhibited location of the government secondary school is appropriate. It reflects good planning and planning scheme provisions that encourage the integration of schools with activity centres, open space and pedestrian, cycling and road networks. - The Committee was not persuaded by Mr Panozzo's evidence that there is a gap in secondary school provision in the northern part of the PSP. Mr Panozzo's catchment analysis did not include an analysis of population demographics, residential densities, and the presence of non-residential land within the catchment area that would be required to demonstrate a gap in service provision.
7.2	Primary school location – Recommendation 4 <ul style="list-style-type: none"> - The Committee agrees with the VPA that the northern government primary school should not be shifted further north to abut the Aitken Creek reserve <u>unless</u> the width of the mixed use area is insufficient to allow for the practical development of that land. Further consideration is required in this regard (see Recommendation 4).
7.3	Funding the Marathon Boulevard extension – no change required <ul style="list-style-type: none"> - The Committee was not persuaded that the extension of Marathon Boulevard and the associated culvert across Aitken Creek would necessarily fit the criteria in the Ministerial Direction on ICPs for inclusion in the future ICP. It would therefore not be appropriate to

Chapter	Finding
	include them in the PIP.
7.4	Funding the Mickleham Road culvert upgrades – no change required <ul style="list-style-type: none"> - The Stormy Water Solutions Stormwater Management Strategy for the Gap Catchment does not require any upgrades to the Mickleham Road culverts. There is therefore no justification for including the culverts in the PIP or the future ICP. - The culverts will have to be upgraded (lengthened at least) when Mickleham Road is duplicated. This should form part of the duplication project.
7.5	Apportionment of the active open space and community facilities – no change required <ul style="list-style-type: none"> - The 50/50 apportionment of active open space and community facilities between the Craigieburn West PSP and the Lindum Vale PSP is equitable and appropriate, notwithstanding that the land take for the assets is now larger than assumed when the Lindum Vale ICP was prepared. - Craigieburn West has a higher ratio of dwellings per hectare than Lindum Vale, therefore will generate a higher proportional need for the facilities than Lindum Vale. The Committee is satisfied on that basis that the apportionment between PSPs remains equitable.
7.6	Equity issues – no change required <ul style="list-style-type: none"> - While some properties are disproportionately burdened with public infrastructure when compared to others, this is not inequitable. Land contributions will be equalised through land equalisation payments under the future ICP, payments under the Water Act for land needed for DSS assets and compensation paid for land compulsorily acquired for school sites.
Other issues	
8.1	Airport issues – Recommendation 10 <ul style="list-style-type: none"> - The changes proposed by the VPA (showing the prescribed airspace on Plan 2 and adding a note explaining the significance of the prescribed airspace) are adequate and appropriate. However, the Committee considers that the N-Contours should also be shown on Plan 2 with an accompanying explanatory note. - No additional controls should be included in either the PSP or the UGZ12 in relation to the airport. To do otherwise would be to pre-empt the findings of the MAESSAC.
8.2	Mickleham Road interface – no change required <ul style="list-style-type: none"> - The Mickleham Road interface cross section included in Part A PSP, together with the exhibited Requirements and Guidelines in the PSP and the adjustments to the walkable catchment boundary along the Mickleham Road frontage, is sufficient to deal with the sensitive interface to the Green Wedge land to the west of Mickleham Road. No further adjustments are required to the Vision, Objectives or Requirements in the PSP.
8.3	Boundaries of the Conservation Area – Recommendation 9 <ul style="list-style-type: none"> - The realigned boundaries of the Conservation Area should not be shown in the PSP until such time as they are approved by the Commonwealth. If approval is received prior to the draft Amendment being adopted and approved, the plans in the PSP should be updated accordingly (see Recommendation 9).
8.4	Kangaroos – no change required <ul style="list-style-type: none"> - The KMS should not provide for road crossings for kangaroos over or under Mickleham

Chapter	Finding
	<p>Road, but this should be reviewed at the design stage of the duplication of the road.</p> <ul style="list-style-type: none"> - The changes proposed by the VPA to the kangaroo provisions of the UGZ12 are appropriate.
8.5	<p>Local town centre – no change required</p> <ul style="list-style-type: none"> - Further changes to the size of the LTC, beyond the Part A reduction to 2.6 hectares, are not justified. - Given its small size and relatively straightforward mix of uses, there is no need to include a concept plan for the LTC in the PSP. The design principles included in Table 7 and Appendices 4.3 and 4.4 of the PSP are detailed and are sufficient to guide the future development of the LTC. - There is no need to add a further design principle dealing with amenity impacts of uses within the LTC on surrounding residential areas, as suggested by Mr Fetterplace. The existing principles are sufficient.
8.6	<p>Community uses on the Universal Syrian Orthodox Church site – no change required</p> <ul style="list-style-type: none"> - The Committee supports the extension of community based uses on the Universal Syrian Orthodox Church site (Parcel 25). They are well located and complimentary to the adjacent school and nearby LTC uses. - The Committee agrees with the VPA that the more appropriate place to recognise the potential for community uses on the site is Guideline G62, rather than the LTC principles. The Committee supports the VPA's Part C additions to G62.
8.7	<p>Non-residential uses on the SVR2 site*</p> <ul style="list-style-type: none"> - The Committee was not persuaded that it would be appropriate to either designate the SVR2 site as suitable for any particular non-residential uses, or to include guidelines in the PSP that seek to distinguish the proposed uses from a LCC. - The Committee accepts the submissions from both Council and the VPA that there is the potential for such uses to compete with the LTC, and to delay its early establishment. The merit of establishing these types of uses on the SVR2 site should be assessed through the permit process.
8.8	<p>Bushfire issues</p> <ul style="list-style-type: none"> - The Committee does not support Council's request for the Bushfire Hazard Area classification for LP-09 to be downgraded in the absence of certainty about the ultimate form of vegetation in LP-09 and the hazard it is ultimately expected to exhibit to the surrounding development. LP-09 should remain as Bushfire Hazard Area 1 on Plan 7. - The Committee supports the VPA's proposed Part A and Part C changes to the Requirements and Guidelines contained in Section 3.3.3. They respond to the concerns raised by Mr Allan. - In particular, the amendments to Requirement R22 provide suitable flexibility to reduce setbacks at the permit application stage, which will allow a more nuanced assessment of the bushfire hazard based on the form of the development proposed, the form of surrounding development and the condition of the surrounding hazard areas. - The Part A and Part C changes to Section 3.3.3 respond to Council's concerns regarding Requirement R23 and Guideline G36 and there is no need for an additional permit condition to be included in the UGZ12.

Table 5 Summary of recommended changes and reasons

Chapter	Recommended change and reason
Traffic and transport issues	
3.4	<p>Left-in left-out intersections – Recommendation 13</p> <p><u>Recommended change</u></p> <p>The PSP should include a further Guideline that specifically acknowledges the need for two additional LILO intersections on Mickleham Road north of Craigieburn Road, and potentially one additional LILO intersection on Mt Ridley Road. The final locations of the intersections should be determined to the satisfaction of the road authority.</p> <p><u>Reasons</u></p> <p>The Committee is satisfied on the basis of Ms Marshall’s evidence (which is consistent with Council’s position) that additional LILOs on Mickleham Road north of Craigieburn Road will benefit the network, because:</p> <ul style="list-style-type: none"> - the lack of an east west arterial in the northern part of the PSP puts additional pressure on traffic volumes on the two east west connectors - the One Mile Grid modelling predicted that volumes on these two connectors will be high, and the northern connector will be at or over its theoretical capacity <p>Flexibility should be maintained about the location of the LILOs, because the internal network of local access roads is yet to be determined.</p>
3.5	<p>North south connector – Recommendation 2</p> <p><u>Recommended change</u></p> <p>The VPA should give further consideration to the requirements for cycle and pedestrian paths in a connector street abutting a linear park, and whether a cross section is needed.</p> <p><u>Reason</u></p> <p>The VPA did not address this recommendation of Mr Walsh (for Peet) in detail, and the Committee does not have sufficient information before it to make a recommendation. While it may seem unnecessary to have two dedicated cycle paths within a few metres of each other (one along the road and one in the linear park), these cycle paths may perform slightly different functions.</p>
Drainage and waterway issues	
4.6	<p>Gap Catchment – Recommendation 14</p> <p><u>Recommended change</u></p> <p>Two additional Requirements should be added to Section 3.3.1 Integrated Water Management of the PSP as requested by Council.</p> <p><u>Reason</u></p> <p>Council’s Requirements provide further clarity that the Gap Catchment will be serviced by a single asset, and deal with the timing of when the asset is to be delivered (which is not currently dealt with in the VPA’s Part C changes).</p>
Trees and open space	
6.2	<p>Tree retention – Recommendations 15 and 16</p> <ul style="list-style-type: none"> - The importance of the retention of trees for amenity and character as well as biodiversity value should be better reflected in the PSP, so that both are considered by any secondary consent mechanism. - Council’s suggested changes to Objective O2, Requirement R34 and Guideline G58 are

Chapter Recommended change and reason

appropriate to achieve this outcome, subject to some further refinement to the drafting of Requirement R34 and Guideline G58 (see Chapter 9.2).

- Subject to these changes, the PSP appropriately considers tree retention.

6.3 Location of sports reserve SR-01 – Recommendation 5

Recommended change

Undertake further consideration and consultation before agreeing to the relocation of sports reserve SR-01.

Reason

The VPA supported Stockland's proposal to relocate SR-01 with the realigned Conservation Area if the Conservation Area boundary realignment is approved by the Commonwealth. The Committee does not support this position. Further consideration is required of the impacts of a relocation on the residents of Lindum Vale. SR-01 is 50 percent apportioned to the Lindum Vale PSP, suggesting that the residents of Lindum Vale will use the sports reserve just as much as the residents of Craigieburn West. The Stockland location is not as accessible to Lindum Vale as the exhibited location and Satterley (the main developer in Lindum Vale) opposed the relocation.

Other issues

8.7 Non-residential uses on the SVR2 site – Recommendation 17

Recommended change

Include additional words in Requirement R9 that recognise that direct access off arterial roads may be appropriate for non-residential uses.

Reason

As noted in Table 4, the Committee was not persuaded that the PSP should be amended to specifically recognise the potential for non-residential uses on the SVR2 site on the corner of Mickleham and Craigieburn Roads. Non-residential uses on that land should be assessed on their merits. If, however, a proposal for non-residential use on the SVR2 site is found to be appropriate, there may be some merit in the use having direct access off an arterial road.

8.8 Bushfire issues – Recommendation 12

The hazard classification for Conservation Area 29 should be based on the ultimate hazard that it is expected to exhibit to the surrounding development. In the absence of certainty that it will be managed into the future as Grassland rather than Woodland, and that the 19 metre setback in Table 4 for Grassland is appropriate (and will remain so), Conservation Area 29 should be shown as Bushfire Hazard Area 1 on Plan 7 and the 33 metre setback in Table 4 for Woodland applied.

0 Permit trigger for the removal of dams – Recommendation 18

Recommended change

Include a permit trigger in the UGZ12 for the removal of dams, reservoirs and water bodies.

Reasons

Applications for subdivision of more than 10 lots require a geotechnical and groundwater assessment (which would cover off on the technical impacts of removing a dam) and a KMP (which would cover off on the impacts on kangaroos). However, a dam could be removed independently and well before an application for subdivision. In these circumstances a separate approval would be judicious.

9.2 Recommendations

The Committee's recommendations are based on the Part C changes to the PSP (outlined in Document 159) and UGZ12 (outlined in Document 160). Each detailed recommendation is cross referenced to the relevant chapter which provides the Committee's supporting reasoning.

Primary recommendation

1. **Progress the draft Amendment to the Hume Planning Scheme after making the changes referred to in the detailed recommendations in this report.** [Chapter Error! Reference source not found.]

Detailed recommendations

Matters requiring further consideration before the draft Amendment is progressed

2. **Give further consideration to the requirements for cycle and pedestrian paths in a connector street abutting a linear park, and whether a cross section is needed.** [Chapter 3.5]
3. **Check that the calculations of the amount of land required for the ultimate configuration of intersections along Mickleham Road specified in Sections 2.4 and 4.2 of the PSP are accurate. Make any adjustments that may be required to the PSP before progressing the draft Amendment.** [Chapter 3.7]
4. **Before realigning the Elevation Boulevard extension and intersection IN-05 with Cookes Road, further investigate the alternative alignment, including further discussions with Council and the Department of Transport, to confirm its appropriateness having regard to the matters raised in Chapter 3.8 of this Report.** [Chapter 3.8]
5. **Before relocating sports reserve SR-01, give further consideration to the impact on, and the need for further consultation with, the residents of the Lindum Vale PSP.** [Chapter 6.3]
6. **Check the width of the mixed use area located on Parcel 14 to the north of the proposed government primary school. If the width is sufficient to accommodate the level of development envisaged, retain the school in the exhibited location. If not, then either:** [Chapter 7.2]
 - a) **move the school south to increase the width of the mixed use area; or**
 - b) **move the school north to abut the Aitken Creek reserve and relocate the mixed use area to the south of the school and the realigned north south connector.**

Changes to the plans in the PSP

7. **Amend the Integrated Water Management Plan (Plan 6) to show the amended boundaries of the Aitken Creek Drainage Services Scheme and the Yuroke Creek Drainage Services Scheme as outlined in Figure 2 of Mr Mag's evidence (Document 34).** [Chapter 4.6]
8. **Amend the walkable catchment boundaries to extend:** [Chapter 5.3]
 - a) **west of the Local Town Centre to a distance of 90 metres inboard from Mickleham Road**

- b) east of the Local Town Centre into Parcel 25 (the Universal Syrian Orthodox Church site) as far as currently shown
 - c) north and south around the schools and open space as far as necessary to achieve the same area of residential land within the elongated walkable catchment as is contained in the radial 400 metre walkable catchment.
- 9. Relocate local park LP-14 west to a location adjacent to the green link and wholly contained within Parcel 31. [Chapter 6.4]
 - 10. Amend the Precinct Features Plan (Plan 2) to show the N-Contours associated with Melbourne Airport, as well as the prescribed airspace. Include an explanatory note. [Chapter 8.1]
 - 11. Amend the boundaries of Conservation Area 29 if the boundary realignment is approved by the Commonwealth Department of Agriculture, Water and the Environment before the draft Amendment is adopted and approved. [Chapter 8.3]
 - 12. Amend the Bushfire Plan (Plan 7) to change Conservation Area 29 to a Bushfire Hazard Area 1, unless the VPA is satisfied on the basis of further discussion with the Department of Environment, Land, Water and Planning and the Country Fire Authority that the land will be managed as grassland going forward, and the Hazard Area 2 and associated 19 metre setback are appropriate and will remain so in future. [Chapter 8.8]

Changes to the wording of the PSP

- 13. Include an additional Guideline in Section 3.2.3 (street network) that states: [Chapter 3.4]
At least two additional left-in, left-out intersections are likely to be required on Mickleham Road north of Craigieburn Road, and one additional left-in, left-out intersection may be required on Mt Ridley Road. The final location of these intersections is to be to the satisfaction of the relevant road authority.
- 14. Include the following two additional Guidelines in Section 3.3.1 (Integrated Water Management): [Chapter 4.6]
Within the area not covered or able to be serviced by a Melbourne Water Drainage Services Scheme, only one stormwater retention asset is to be provided generally in accordance with Plan 6 and Table 4.2.
The stormwater retention asset in the area not covered by a Melbourne Water Drainage Services Scheme must be provided at the same time as the subdivision of properties 31,32, 33 or 34.
- 15. Amend Requirement R34 in Section 3.5 to read: [Chapter 6.2]
Vegetation shown on Plan 10 as Vegetation for Retention must be retained and incorporated into either the open space network or the public realm, unless otherwise agreed by the Responsible Authority having regard to:
 - the contribution the vegetation makes to character and amenity contribution as well as its biodiversity value
 - whether the vegetation presents an unreasonable risk to property or health and safety
 - whether reasonable and practical adjustments could be made to a subdivisional layout to enable retention of the vegetation.

Retained vegetation must be incorporated into either the open space network or the public realm.

- 16. Amend Guideline G58 in Section 3.5 to read: [Chapter 6.2]**

Existing vegetation should be retained, protected and enhanced to provide habitat and movement corridors for local fauna and contribute to the character and amenity of the precinct.

- 17. Include the following words at the end of Requirement R9 in Section 3.2.3: [Chapter 9.7]**

Direct access may be considered on an individual basis considering the relevant land use and to the satisfaction of the Department of Transport.

Changes to the UGZ12

- 18. Amend the Urban Growth Zone Schedule 12 to include a permit trigger for the removal of dams, reservoirs and other water bodies. [Chapter 0]**

Further recommendations

- 19. The VPA should continue an active dialogue with the Department of Transport about the Mickleham Road upgrades and to advocate for the upgrades to be brought on as soon as practicable. [Chapter 3.3]**

Appendix A VPA Projects Standing Advisory Committee Terms of Reference

Terms of Reference

VPA Projects Standing Advisory Committee

Version 1: July 2020

Standing Advisory Committee appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister for Planning and the Victorian Planning Authority (VPA) on referred projects and plans and associated draft planning scheme amendments.

Name

The Standing Advisory Committee is to be known as the 'VPA Projects Standing Advisory Committee'.

1. The Committee is to have members with the following skills:
 - a. Strategic planning
 - b. Statutory planning
 - c. Civil engineering (infrastructure planning)
 - d. Development contributions
 - e. Road and transport planning
 - f. Biodiversity
 - g. Social planning
 - h. Urban design
 - i. Heritage (post contact and Aboriginal)
 - j. Planning law.
2. The Committee will include a Chair, Deputy Chairs and not less than ten other appropriately qualified members.
3. The Committee may seek advice from other experts where it considers this necessary.

Purpose

4. The purpose of the Committee is to provide timely advice to the Minister for Planning and the VPA on specific matters referred to it related to various proposals, including but not limited to structure plans, infrastructure and development contribution plans, framework plans, development plans and any associated draft planning scheme amendment and planning permits.

Background

5. The VPA is responsible for preparing development plans and other proposals in identified metropolitan, growth areas and regional cities and towns. Some of these plans are to be approved through the planning scheme amendment process using the provisions of section 20(4) of the Act.
6. This Committee process allows submissions to be made to the VPA on a draft plan and associated draft planning scheme amendment, with any unresolved issues to be considered by the Committee before the final planning scheme amendment is submitted to the Minister for Planning for approval.
7. The Committee will provide a targeted and timely process to assess the merits of discrete unresolved issues associated with State and regionally significant projects.

Method

8. The Committee may meet, and depending on the nature of the referral and the issues raised, undertake consultation that is fit for purpose. This may be on the papers; through round table discussions or forums;

Terms of Reference | VPA Projects Standing Advisory Committee

or Hearings. There must be a quorum of at least two Committee members, including either the Chair or a Deputy Chair.

9. The Committee may apply to vary these Terms of Reference in any way it sees fit.

Notice

10. As directed by the Minister, the VPA will prepare and give notice of a 'draft Amendment' and receive submissions. The VPA will consider all submissions and where possible seek to resolve issues with submitters prior to referring matters to the Committee.
11. The Committee is not expected to carry out additional public notification or referral of matters but may seek the views of any relevant referral authority, responsible authority or government agency.

Referral

12. Once all submissions are considered, the Chief Executive Officer, VPA (or delegate) will provide a letter of referral to the Committee Chair, seeking its advice on particular matters or unresolved issues raised in the submissions and/or any other relevant matter. The letter of referral will be a public document.
13. The letter of referral must be accompanied by:
- a. The relevant plan and associated draft planning scheme amendment and planning permit documentation
 - b. The referred submissions
 - c. Any supporting background material.

Committee Assessment

14. The Committee may inform itself in anyway it sees fit, but must consider:
- a. The relevant components of the referred plan and associated draft planning scheme amendment and any associated planning permit (if relevant) that relate to the submissions or issues referred to it
 - b. The referred submissions
 - c. *Plan Melbourne*
 - d. Any relevant Regional Growth Plan or Growth Corridor Plan
 - e. The applicable Planning Scheme
 - f. Relevant State and local policy
 - g. Any other material referred to it.
15. Depending upon the nature of the referral, the Committee can conduct its proceedings through round table discussions, on the papers or, a public hearing, including by video conference if unable to conduct this 'in person'.
16. The Committee will be provided with the written submissions and other supporting material by parties, and may:
- a. Direct that parties meet, to discuss and further resolve issues, or
 - b. Act as a mediator to seek to resolve issues in dispute.
17. The Committee may direct the VPA and relevant parties to provide additional information on specified matters.
18. The committee must not consider submissions or evidence on a matter that a planning authority is prevented from considering by operation of ss 22(3) and 22(5) of the Planning and Environment Act 1987.
19. The written submission of the VPA is to include:
- a. an overview of the draft amendment and/or any relevant planning permit and the relevant Plan, including a detailed explanation of the referred elements.

- b. a written response to each referred submission and how the draft plan, amendment or permit might be changed to respond to the submission.

Outcomes

- 20. The Committee must produce a written report for the VPA and the Minister for Planning, providing the following:
 - a. Whether the referred element(s) of the draft amendment or planning permit is appropriate
 - b. A summary and assessment of the issues raised in submissions referred to the Committee.
 - c. Any other relevant matters raised in the course of the Committee process.
 - d. A list of persons who made submissions considered by the Committee.
 - e. A list of tabled documents.
 - f. A list of persons consulted or heard, including via video conference.
- 21. Following the completion of the report the Committee may deliver an oral briefing to the Minister for Planning or the VPA. The briefing may be in person, by video conference or telephone.

Submissions are public documents

- 22. The Committee must retain a library of any written submissions or other supporting documentation provided to it until a decision has been made on its report or five years has passed from the time of its appointment.
- 23. Any written submissions or other supporting documentation provided to the Committee must be available for public inspection until the submission of its report, unless the Committee specifically directs that the material is to remain 'in camera'. A document may be made available for public inspection electronically.

Timing

- 24. The Committee is required to commence its process by issuing a written notice of the referral of a matter from the VPA to all referred submitters no later than 10 business days from the date of any specific letter of referral received.
- 25. The Committee is required to submit its report in writing as soon as practicable but no later than 20 business days from the last day of its proceedings, tabling of submissions or consultation process.
- 26. The VPA must release the report of the Committee within 10 business days of its receipt.

Fee

- 27. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.
- 28. The costs of the Committee will be met by the VPA.



Richard Wynne MP
Minister for Planning

Date: 17 / 07 / 2020

Appendix B Referral letter



Hon Richard Wynne MP

Minister for Planning
Minister for Housing

8 Nicholson Street
East Melbourne, Victoria 3002

Nick Wimbush
Lead Chair
Victorian Planning Authority Projects Standing Advisory Committee
Planning Panels Victoria
planning.panels@delwp.vic.gov.au

Ref: MBR044597


Dear Mr Wimbush

**DRAFT AMENDMENT TO THE HUME PLANNING SCHEME – CRAIGIEBURN WEST PRECINCT
STRUCTURE PLAN – REFERRAL OF SUBMISSIONS TO THE VPA PROJECTS STANDING
ADVISORY COMMITTEE**

I refer to the proposed Craigieburn West Precinct Structure Plan (PSP) amendment to the Hume Planning Scheme, which facilitates the use and development of the land for commercial, retail, residential, and a mix of other uses generally in accordance with the Craigieburn West PSP.

The VPA has committed to delivering a fast-track planning program to assist with Victoria's post coronavirus (COVID-19) economic recovery over the next financial year.

On 17 July 2020, I established a streamlined planning process, including the establishment of the VPA Projects Standing Advisory Committee (SAC) to independently review unresolved submissions, including discrete issues, received through the VPA streamlined engagement process.

Between 17 November 2020 and 18 December 2020, the VPA undertook a targeted public consultation process for the Craigieburn West PSP and the associated planning scheme amendment. The consultation included landowners and occupiers within 500 metres of, and within, the Craigieburn West PSP, Commonwealth and Victorian Government agencies, Ministers prescribed under section 19(1)(c) of the *Planning and Environment Act 1987* and Hume City Council. The VPA held a virtual drop-in session and responded to phone calls and emails during the consultation period.

I have decided to refer all unresolved submissions to the VPA Projects SAC for advice and recommendations in accordance with the SAC's terms of reference.

I have also enclosed a submissions summary table, prepared by the VPA, which provides an analysis of each submission, including summaries of the issues raised and a significance rating to assist the SAC with its proceedings.

The SAC should consider the submissions in the manner it sees fit in accordance with its terms of reference. I note the terms of reference enable the committee to adopt an approach that is 'fit for purpose' and that this could involve consideration of issues of lesser significance 'on the papers'.

I am advised the VPA will continue to seek to resolve matters with submitters and it will advise the SAC if further matters are resolved.

Please find enclosed some of the supporting documents required by clause 13 of the terms of reference for the VPA Projects SAC. The VPA will provide the remaining documents in due course.

I encourage the SAC to undertake its work in the most efficient way and to act promptly in light of the significance of the proposed project and its role in assisting Victoria's post coronavirus economic recovery.



If you would like further information about this matter, please email Dr Jane Homewood, Executive Director, Statutory Planning Services, Department of Environment, Land, Water and Planning, at jane.homewood@delwp.vic.gov.au.

Yours sincerely


HON RICHARD WYNNE MP
Minister for Planning
8 13 121

Encl. Craigieburn West PSP Amendment submissions summary table
Craigieburn West PSP Public consultation report

Appendix C Submitters and Parties

C1 Submissions to targeted consultation

Submitter	Submitter
Ross Payne	Merri Creek Management Committee
Joanne Burnett	Deague Group
Michael Velasquez	Murray Mansfield
Rachael Tatli	Greenvale Residents Association
Andrew Shenouda	Hawthorn Developments (Vic) Pty Ltd
Energy Safe Victoria	Satterley Property Group Pty Ltd - Lindum Vale
Jessica Meli	Porter Davis Projects Pty Ltd
Nee Senevi	PEET Limited
Shaun McDougall	Frances Baker
Fred Fenley	SVR2 Pty Ltd ATF – SVR2 Discretionary Trust
Kay Mitchell	Yarra Valley Water
Tod Mackay	Universal Syrian Orthodox Church
EPA	Ricky Duggal
Janet Remington	AK (AUST) Pty Ltd
Satterley Property Group Pty Ltd - Greenvale	Australia Pacific Airports (Melbourne) Pty Ltd
Stockland Development Pty Ltd	North Victorian Buddhist Association/JAK Investment Group Pty Ltd
Hume City Council	Department of Education
Pask Group	Department of Environment, Land, Water and Planning – Melbourne Strategic Assessment team
Capital Group	Department of Transport
Melbourne Water	Stephen Cooper
Property Council of Australia	IRD Developments Pty Ltd
SFA Developments Pty Ltd (Henley Properties Group)	Aitken College

C2 Parties to the Panel Hearing

Submitter	Represented by
Hume City Council	<p>Terry Montebello of Maddocks, who called expert evidence on:</p> <ul style="list-style-type: none"> - Hydrology and drainage from Warwick Bishop of Water Technology - Traffic from Stephen Pelosi of Movendo
Victorian Planning Authority	<p>Greg Tobin of Harwood Andrews, who called expert evidence on:</p> <ul style="list-style-type: none"> - Ecology from Aaron Organ of Ecology and Heritage Partners - Traffic and transport from Ross Hill of OneMileGrid - Bushfire from Hamish Allan of Terramatrix
Melbourne Water	<p>Laurence Newcome of Melbourne Water and Emily Johnstone of Allans, who called expert evidence on:</p> <ul style="list-style-type: none"> - Geomorphology from Dr Simon Treadwell of Jacobs
Department of Transport	Daniel Zaslona of Department of Transport
Deague Group	<p>Paul Chiappi and Carly Robertson of Counsel, who called expert evidence on:</p> <ul style="list-style-type: none"> - Stormwater from Chris Beardshaw of Afflux Consulting - Traffic from Jason Walsh of Traffix - Planning from Rob Milner of Kinetica
Peet Limited	<p>Chris Canavan QC, Nick Tweedie SC and Roshan Chaile of Counsel, who called expert evidence on:</p> <ul style="list-style-type: none"> - Arboriculture from Rob Galbraith of Galbraith & Associates - Hydrology and drainage from Michael Mag of Stormy Water Solutions - Traffic from Jason Walsh of Traffix - Urban Design and landscape from Craig Czarny of Hansen Partnership
Stockland Development Pty Ltd	<p>Jeremy Gobbo QC and Nicola Collingwood of Counsel, who called expert evidence on:</p> <ul style="list-style-type: none"> - Planning from Marco Negri of Contour
Pask Group	<p>Tania Cincotta and Romy Davidov of Best Hooper, who called expert evidence on:</p> <ul style="list-style-type: none"> - Traffic from Jason Walsh of Traffix - Planning from Andrew Clarke of Matrix Planning

Submitter	Represented by
Porter Davis Projects Pty Ltd	Ellen Tarasenko of Herbert Smith Freehills, who called expert evidence on: <ul style="list-style-type: none"> - Stormwater from Rod Wiese of Storm Consulting
Satterley Property Group Pty Ltd	David Passarella of Mills Oakley
IRD Developments Pty Ltd	Tom Pikusa of Counsel, who called expert evidence on: <ul style="list-style-type: none"> - Community infrastructure from Robert Panozzo of ASR Research
Australia Pacific Airports (Melbourne) Pty Ltd	John Carey of Minter Ellison
JAK Investment Group Pty Ltd	Daniel Knights of JAK Investment Group Pty Ltd, Cameron Dash from Hatch Roberts Day and Luke Cunningham of Rain Consulting
SFA Developments Pty Ltd (Henley Properties Group)	Matthew Beazley of Russell Kennedy, who called expert evidence on: <ul style="list-style-type: none"> - Traffic from Hilary Marshall of Ratio - Planning from Jonathon Fetterplace of A Different City
SVR2 Pty Ltd ATF - SVR2 Discretionary Trust	Katie Murphy of Tract
Hawthorn Developments (VIC) Pty Ltd	Randah Jordan and Bruce Hunter of Veris
Frances and Norman Baker	Angela Mok of Clement Stone
Universal Syrian Orthodox Church	Robbie McKenzie of Ratio
Merri Creek Management Committee	Luisa McMillan
Janet Remington	
Aitken College	Josie Crisara, Principal of Aitken College
Greenvale Residents Association	Tamara Nolan

Appendix D Background reports

Report title	Date	Author
Arboricultural Assessment Report	February 2019	Treetec
Bushfire Development Report	February 2020	Terramatrix
Assessment of Retail and Commercial Demand	February 2020	Macroplan
Services Investigation Report	March 2019	Taylor's
Eastern Grey Kangaroo Management Plan	November 2020	Ecology & Heritage Partners
Hydrogeological, Salinity, Acid Sulphate Soil and Geotechnical Assessment	September 2020	Beveridge Williams
Post-Contact Heritage Assessment	January 2019	Ecology and Heritage Partners
Aboriginal Cultural Heritage Impact Assessment	August 2019	Biosis
Preliminary Land Contamination Assessment	December 2018	Landserv
Landscape Character Assessment	February 2019	Spiire
Traffic and Transport Existing Conditions Assessment	February 2020	One Mile Grid
Transport Impact Assessment	November 2020	One Mile Grid
Integrated Water Management Issues and Opportunities	March 2019	Alluvium
Aitken Creek Waterway Values Assessment – Melbourne Water	December 2020	Jacobs

Appendix E Document list

No.	Date	Description	Presented by
1	08/03/2021	Victorian Planning Authority (VPA) Projects Standing Advisory Committee (SAC) Referral Letter	Minister for Planning
2	08/03/2021	VPA Submissions Summary Table	Minister for Planning
3	08/03/2021	VPA Public Consultation Report, February 2021	Minister for Planning
4	12/03/2021	SAC Directions Hearing Notification Letter	Planning Panels Victoria (PPV)
5	23/03/2021	Letter containing suggested draft directions	Victorian Planning Authority (VPA)
6	25/03/2021	Letter containing suggested draft directions and hearing dates	IRD Developments Pty Ltd
7	25/03/2021	Email containing suggested directions regarding Australia Pacific Airports (Melbourne) APAM)	Stockland Development Pty Ltd
8	26/03/2021	Letter commenting on hearing timeframes	Porter Davis Projects Pty Ltd
9	26/03/2021	Letter with suggested dates for expert themes	Peet Limited
10	29/03/2021	Letter with comments on draft directions,	Stockland Development Pty Ltd
11	29/03/2021	Letter with comments on draft directions, additional draft direction and timing of evidence	Hume City Council
12	31/03/2021	SAC Directions, Distribution List and Timetable (version 1)	PPV
13	07/04/2021	Letter advising that Hume City Council to no longer call planning witness	Hume City Council
14	07/04/2021	Email requesting to be heard as part of the SAC process	Greenvale Residents Association
15	09/04/2021	Email seeking leave to provide witness statement	VPA
16	09/04/2021	Email granting leave to provide witness statement	PPV
17	09/04/2021	Letter with response to Direction 29	Australia Pacific Airports (Melbourne) Pty Ltd (APAM)
18	12/04/2021	VPA Part A Submission <ul style="list-style-type: none"> a) Submission Summary and Response Table b) Part A Tracked Changes PSP c) Part A Planning Scheme Ordinance Tracked Changes d) Craigieburn West Public Consultation Report e) Traffic Impact Assessment – Addendum 	VPA

No.	Date	Description	Presented by
19	13/04/2021	Letter seeking leave to provide witness statement	IRD Developments Pty Ltd
20	14/04/2021	Email granting leave to provide witness statement	PPV
21	15/04/2021	Witness Statement - Craigieburn West PSP - Ross Hill - Traffic and Transport.pdf	VPA
22	15/04/2021	Witness Statement - Craigieburn West PSP - Hamish Allan - Bushfire.pdf	VPA
23	15/04/2021	Witness Statement - Craigieburn West PSP - Aaron Organ - Kangaroo Management	VPA
24	16/04/2021	Email seeking leave to provide witness statement	Melbourne Water
25	16/04/2021	Email granting leave to provide witness statement	PPV
26	16/04/2021	Email seeking leave to provide response to Direction 10	Satterley Property Group Pty Ltd
27	16/04/2021	Email granting leave to provide response to Direction 10	PPV
28	16/04/2021	Letter advising of 'whole of Government position' and Melbourne Water representation	VPA
29	19/04/2021	Email seeking leave to provide witness statement	Pask Group
30	19/04/2021	Email granting leave to provide witness statement	PPV
31	19/04/2021	Evidence Statement — Jonathon Fetterplace of A Different City — Planning	Henley Properties Group
32	19/04/2021	Evidence Statement — Rod Wiese of Storm Consulting — Stormwater	Porter Davis Projects Pty Ltd
33	19/04/2021	Evidence Statement — Jason Walsh of Traffix — Traffic	Peet Limited
34	19/04/2021	Evidence Statement — Michael Mag of Stormy Water Solutions — Hydrology and drainage	Peet Limited
35	19/04/2021	Evidence Statement — Craig Czarny of Hansen Partnership — Urban Design and landscape	Peet Limited
36	19/04/2021	Evidence Statement — Rob Gaibraith of Galbraith & Associates — Arboriculture a) Data spreadsheet	Peet Limited
37	19/04/2021	Evidence Statement — Stephen Pelosi of Movendo — Traffic	Hume City Council
38	19/04/2021	Evidence Statement — Warwick Bishop of Watertech — Drainage	Hume City Council
39	19/04/2021	Evidence Statement — Marco Negri of Contour — Planning	Stockland Development Pty Ltd
40	19/04/2021	Email seeking leave to provide witness statement	Deague Group

No.	Date	Description	Presented by
41	19/04/2021	Email granting leave to provide witness statement to multiple parties	PPV
42	19/04/2021	Email to all parties advising that the request to be heard from Greenvale Residents Association will be addressed as a preliminary matter on Day 1	PPV
43	19/04/2021	Evidence Statement — Jason Walsh of Traffix — Traffic	Deague Group
44	19/04/2021	Evidence Statement — Chris Beardshaw of Afflux — Stormwater drainage	Deague Group
45	19/04/2021	Evidence Statement — Rob Milner of Kinetica — Planning	Deague Group
46	19/04/2021	Evidence Statement — Hilary Marshall of Ratio — Traffic	Henley Properties Group
47	20/04/2021	Evidence Statement — Andrew Clarke from Matrix — Planning	Pask Group
48	20/04/2021	Evidence Statement — Jason Walsh of Traffix — Traffic	Pask Group
49	20/04/2021	Evidence Statement — Simon Treadwell from Jacobs — Geomorphology	Melbourne Water
50	21/03/2021	Email advising of withdrawal from SAC	Department of Education and Training
51	22/04/2021	Email requesting extension of time for evidence	Melbourne Water
52	22/04/2021	Email granting extension of time for evidence	PPV
53	22/04/2021	PPV-Distribution List and Timetable (version 2)	PPV
54	23/04/2021	Email requesting extension of time for evidence	Henley Properties Group
55	23/04/2021	Email regarding hearing links and confirmation that VPA are not calling expert in Community Infrastructure	VPA
56	23/04/2021	Email seeking leave to provide outline of opening submission	Deague Group
57	23/04/2021	Email granting extension of time for evidence to SFA Land Developments Pty Ltd (Henley Properties Group) and Deague Group	PPV
58	26/04/2021	Email advising the parties of a declaration by member Smith	PPV
59	26/04/2021	Part B submission	VPA
60	26/04/2021	PowerPoint presentation – opening submission	VPA
61	26/04/2021	Opening submissions	Hume City Council
62	26/04/2021	Opening Submissions	Melbourne Water

No.	Date	Description	Presented by
63	26/04/2021	Opening Submissions	Transport for Victoria
64	26/04/2021	Opening Submissions	Deague Group
65	26/04/2021	Opening Submissions	Peet Limited
66	26/04/2021	Opening Submissions	Stockland Development Pty Ltd
67	26/04/2021	Plan of proposed changes to DSS	Stockland Pty Ltd Development
68	26/04/2021	Opening Submissions	Pask Group
69	26/04/2021	Opening Submissions	Porter Davis Projects Pty Ltd
70	26/04/2021	Opening Submissions	Satterley Property Group Pty Ltd
71	26/04/2021	Opening Submissions	IRD Developments Pty Ltd
72	26/04/2021	PSP Plans showing alternative locations of secondary school and open space	IRD Developments Pty Ltd
73	26/04/2021	PPV-Distribution List and Timetable (version 3)	PPV
74	27/04/2021	Opening Submissions	Australia Pacific Airports (Melbourne) Pty Ltd
75	27/04/2021	Opening submissions	JAK Investment Group Pty Ltd
76	27/04/2021	Opening submissions	Henley Properties Group
77	27/04/2021	Opening submissions	SVR2 Pty Ltd
78	27/04/2021	Opening submissions	Hawthorn Developments (Vic) Pty Ltd
79	27/04/2021	Presentation of opening submissions	Hawthorn Developments (Vic) Pty Ltd
80	27/04/2021	Opening submissions	Frances and Norman Baker
81	27/04/2021	Opening submissions	Universal Syrian Orthodox Church
82	27/04/2021	Opening submissions	Merri Creek Management Committee
83	27/04/2021	Opening submissions	Janet Remington

No.	Date	Description	Presented by
84	27/04/2021	Opening submissions	Aitken College
85	27/04/2021	Opening submissions	Greenvale Residents Association
86	27/04/2021	Axiom – assessment of trees at 665 Craigieburn Road, 1340 Mickleham Road, 1390 Mickleham Road, 1430 Mickleham Road and 1480 Mickleham Road, Craigieburn.	Peet Limited
87	27/04/2021	Revised Draft Eastern Grey Kangaroo Management Strategy (clean version)	VPA
88	27/04/2021	Revised Draft Eastern Grey Kangaroo Management Strategy (comparison version)	VPA
89	27/04/2021	Evidence Statement — Robert Panozzo of ASR Research – community infrastructure	IRD Developments Pty Ltd
90	27/04/2021	Document List (version 2)	PPV
91	27/04/2021	Plan of recommended locations for site visit	VPA
92	27/04/2021	Email from IRD Developments attaching material referred to in Mr Panozzo's evidence	IRD Developments Pty Ltd
93	28/04/2021	DET Provision Benchmarks - Attachment from Wallan South and Wallan East and Beveridge North West PSP - Community Infrastructure Assessment RFQ - ASR - 9 April 2020	IRD Developments Pty Ltd
94	28/04/2021	Craigieburn GCP_SSC20657	IRD Developments Pty Ltd
95	27/04/2021	Rod Wise – Drainage Presentation	Deague Group
96	28/04/2021	Plan 1 Existing Aitkin Creek DSS	Melbourne Water
97	28/04/2021	Plan 2 Proposed Aitkin Creek DSS	Melbourne Water
98	28/04/2021	Plan 3 Proposed Aitkin Creek DSS -Developer Outcomes	Melbourne Water
99	28/04/2021	Chris Beardshaw Presentation	Deague Group
100	29/04/2021	Memo with proposed notation to Plan 6(13171558.1)	VPA
101	30/04/2021	Email from VPA about Melbourne Airport Environs Safeguarding Standing Advisory Committee report	VPA
102	30/04/2021	Melbourne Airport Environs Safeguarding Standing Advisory Committee Part B Issues and Options Paper	VPA
103	03/05/2021	Request for scheduling of the evidence of Mr Milner	Deague Group
104	04/05/2021	Maps of Landowner submitter interests	VPA
105	04/05/2021	Questions for Transport for Victoria	Janet Remington
106	04/05/2021	Peet masterplan 003046CPVO	Peet Limited

No.	Date	Description	Presented by
107	04/05/2021	Email outlining masterplan changes agreed with Porter Davis Projects Pty Ltd	Peet Limited
108	04/05/2021	Robert Panozzo Expert Witness Addendum V2	IRD Developments Pty Ltd
109	04/05/2021	Email advising of changes to the timetable	PPV
110	04/05/2021	Email requesting provision of questions in writing	Transport for Victoria
111	05/05/2021	Presentation of planning evidence Jonathan Fetterplace	Henley Properties Group
112	05/05/2021	Committee questions for the Transport for Victoria	PPV
113	07/05/2021	Supplementary submission	Department of Education and Training
114	10/05/2021	Letter from DET to Harwood Andrews	Department of Education and Training
115	10/05/2021	VPA Part B Part 2 submission	VPA
116	10/05/2021	Hume Planning Scheme Clause 21.02 Urban Structure and Settlement	VPA
117	10/05/2021	Hume Planning Scheme Clause 56.05 Urban Landscape	VPA
118	10/05/2021	20-Minute Neighbourhoods Creating a more liveable Melbourne 2019 - DELWP	VPA
119	10/05/2021	Hume Corridor Integrated Growth Area Plan Spatial Strategy December 2015 – Hume City Council	VPA
120	10/05/2021	Submission on behalf of Hume City Council	Hume City Council
121	10/05/2021	Submission on behalf of Melbourne Water	Melbourne Water
122	10/05/2021	Submission on behalf of the Head Transport for Victoria	Transport for Victoria
123	10/05/2021	Document List - Version 4	PPV
124	11/05/2021	Deague Group closing submissions and recommended changes	Deague Group
125	11/05/2021	Peet closing submissions	Peet Limited
126	11/5/2021	Aston West development project Mickleham Road flora and fauna assessment Biosis 21 April 2021	Peet Limited
127	11/05/2021	Stockland closing submissions	Stockland Development Pty Ltd
128	11/05/2021	Pask closing submissions	Pask Group
129	11/05/2021	Porter Davis Projects Pty Ltd closing submissions	Porter Davis Projects Pty Ltd

No.	Date	Description	Presented by
130	12/05/2021	JAK Investment Group Pty Ltd closing submissions	JAK Investment Group Pty Ltd
131	12/05/2021	SFA Land Developments Pty Ltd (Henley Properties Group) closing submissions	Henley Properties Group
132	12/05/2021	IRD Developments Pty Ltd closing submissions	IRD Developments Pty Ltd
133	12/05/2021	Satterley Property Group Pty Ltd closing submissions and recommended changes	Satterley Property Group Pty Ltd
134	12/05/2021	SVR2 closing submission	SVR2 Pty Ltd
135	12/5/2021	Australia Pacific Airports (Melbourne) Pty Ltd closing submissions	Australia Pacific Airports (Melbourne) Pty Ltd
136	12/05/2021	Hawthorn Developments (Vic) Pty Ltd closing submissions	Hawthorn Developments (Vic) Pty Ltd
137	12/05/2021	Frances and Norman Baker closing submissions	Frances and Norman Baker
138	12/05/2021	Universal Syrian Orthodox Church closing submissions	Universal Syrian Orthodox Church
139	12/05/2021	Merri Creek Management Committee closing submissions	Merri Creek Management Committee
140	12/05/2021	Janet Remington closing submissions	Janet Remington
141	12/05/2021	Aitken College closing submissions	Aitken College
142	12/05/2021	Greenvale Residents Association closing submissions and presentation	Greenvale Residents Association
143	12/5/2021	Melbourne Water response to information requests	Melbourne Water
144	12/5/2021	Proposed Aitken Creek DSS Plan 2 revision 3	Melbourne Water
145	12/5/2021	Proposed Aitken Creek DSS Plan 3 revision 3	Melbourne Water
146	12/5/2021	18-003046CPVO Retained Trees Concept plan	Peet Limited
147	12/5/2021	Coffey - Drill hole locations plan	JAK Investment Group Pty Ltd
148	13/05/2021	Response to the Committee's questions	Transport for Victoria
149	13/05/2021	Email from Melbourne Water responding to request for examples of headwater streams	Melbourne Water
150	13/05/2021	Detailed response to headwater streams questions	Melbourne Water
151	13/05/2021	Aitken Creek West Concept Plan 06.06.18	Melbourne Water

No.	Date	Description	Presented by
152	13/05/2021	Aitken Creek North regional open space master plan (DP20C_ACN_ROS_LAMplan_A1_23.09.19)	Melbourne Water
153	13/05/2021	Craigieburn West PSP - Contour and Waterway Data	Melbourne Water
154	13/05/2021	Letter to the Committee detailing True North access and reserve	Satterley Property Group Pty Ltd
155	13/05/2021	True north access and reserves plan	Satterley Property Group Pty Ltd
156	13/05/2021	Email response to questions from the Committee	Universal Syrian Orthodox Church
157	14/05/2021	Hume City Council closing submissions	Hume City Council
158	14/05/2021	Part C Submission	VPA
159	14/05/2021	Part C Schedules of Proposed PSP Changes a) wording changes b) plan changes	VPA
160	14/05/2021	Part C - Schedule of Proposed Ordinance Changes (UGZ12)	VPA
161	14/05/2021	Supplementary submission	Peet Limited
162	14/05/2021	Email response to the Committee questions with attachments: - Future Urban Structure Plan - Property Report with Site Dimension - Road Cross Sections extracted from the exhibited Craigieburn West PSP	IRD Developments Pty Ltd
163	14/05/2021	Email with word versions of: - Part C - Schedule of Proposed PSP Wording Changes - Part C - Schedule of Proposed PSP Plan Changes - Part C - Schedule of Proposed Ordinance Changes	VPA
164	19/05/2021	Part C - Schedule of Proposed PSP Wording Changes - Submitter Template REVISED 18052021	VPA
165	20/05/2021	Letter with proposed PSP drafting changes	IRD Developments Pty Ltd
166	20/05/2021	Part C - Schedule of Proposed PSP Plan Changes - Submitter Template	JAK Investment Group
167	20/05/2021	Part C - Schedule of Proposed PSP Wording Changes - Submitter Template REVISED 18052021_JAK	JAK Investment Group
168	21/05/2021	Porter Davis Projects Pty Ltd - Plan drafting changes (21.05.21)	Porter Davis Projects Pty Ltd

No.	Date	Description	Presented by
169	21/05/2021	Porter Davis Projects Pty Ltd - Wording drafting changes (21.05.21)	Porter Davis Projects Pty Ltd
170	21/05/2021	Part C - Schedule of Proposed PSP Plan Changes - Submitter Template	Janet Remington
171	21/05/2021	Part C - Schedule of Proposed PSP Wording Changes - Submitter Template	Janet Remington
172	21/05/2021	Part C - Schedule of Proposed PSP Wording Changes - Hume City Council Response 21.05.2021	Hume City Council
173	21/05/2021	Part C - Schedule of Proposed PSP Wording Changes - SFA Land Developments Pty Ltd (Henley Properties Group) (21.5.2021) Final 11439110 v 1	Henley Properties Group
174	21/05/2021	SFA Land Developments Pty Ltd (Henley Properties Group) - Plan drafting changes (21.05.21) Final 11439099 v 1	Henley Properties Group
175	21/05/2021	Letter requesting plan changes	Peet Limited
176	26/05/2021	Email attaching the VPA's final response to comments on the drafting suggestions from the parties	VPA