



MELTON PLANNING SCHEME AMENDMENT C162

MT ATKINSON & TARNEIT PLAINS PRECINCT STRUCTURE PLAN



STATEMENT OF EVIDENCE BY ANDREW CLARKE ON PLANNING ISSUES

Prepared for Boral Construction Materials

SEPTEMBER 2016

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1 INTRODUCTION: PRACTICE NOTE – EXPERT EVIDENCE

Name and Address of Expert

Andrew Clarke
Director
Matrix Planning Australia
2nd Floor, 50 Budd Street
Collingwood Vic 3066.

Qualifications of Expert

Bachelor of Town and Regional Planning (Hons), University of Melbourne, 1982

Member, Planning Institute of Australia

Refer Curriculum Vitae at Attachment 1.

Any Private or Business Relationship between the Expert Witness and the Party for Whom the Report is Prepared

None.

Instructions

Written instructions from Herbert Smith Freehills acting on behalf of Boral Construction Materials (“Boral”) and dated 2 August 2016 as follows:

We would like you to prepare a report which considers whether Amendment C162 and the PSP adequately respond to the quarry and in particular, whether they address the potential amenity impacts from the quarry such as airblast, vibration, noise and dust.”

Facts, Matters and Assumptions

Facts, matters and assumptions on which opinions expressed in the report are based are set out in the report.

Documents and Materials Taken Into Account

The documents and any literature or other materials taken into account in preparing the report are identified in the report.

Examinations, Tests and Investigations

All examinations, tests and investigations have been undertaken by me.

Summary of Opinion

A summary of opinion is included in the Conclusion.

Provisional Opinion

There are no provisional opinions.

Relevant Questions Outside of Expertise

There are a number of matters of relevance outside of my expertise. These relate to the disciplines of airblast, vibration, acoustics and air emissions. I understand these matters will be addressed by others.

Whether the report is incomplete or inaccurate in any respect

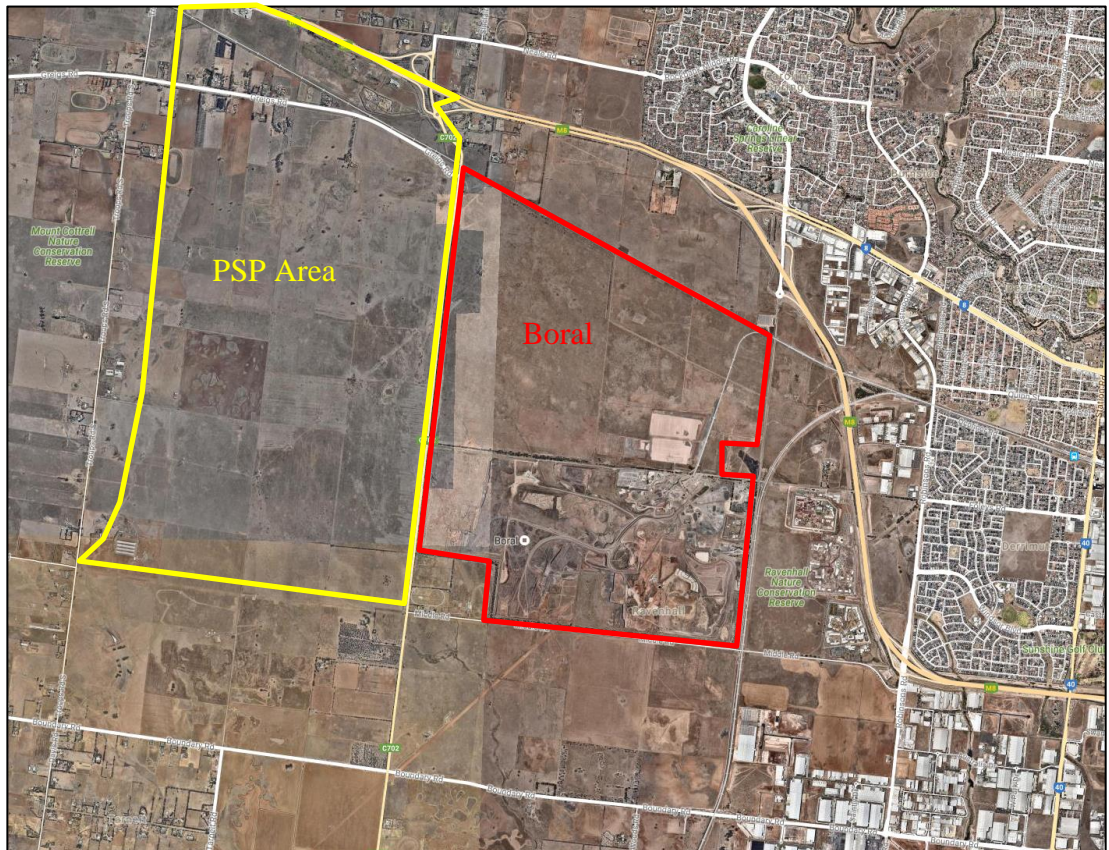
As far as I am aware the report is not incomplete or inaccurate in any respect.

Declaration

I have made all the enquiries which I believe are desirable and appropriate, and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.

2 BORAL'S INTEREST IN AMENDMENT C162

Boral owns and operates a basalt quarry and associated facilities, including an asphalt plant and concrete batching plant, at 408-546 Hopkins Road, Truganina and 1100-1152 Christies Road, Ravenhall (refer Aerial Photographs below).



Aerial Photograph 1



Aerial Photograph 2

The Boral site is adjacent to the eastern boundary of the PSP area, separated by Hopkins Road.

I am instructed that Boral previously operated a landfill on its site, but in 2015 the landfill operations were transferred to Cleanaway Waste Management Ltd ("Cleanaway").

Cleanaway has applied for a planning permit and works approval to expand the landfill, which is the subject of separate proceedings.

3 THE AMENDMENT AND THE PSP

3.1 THE AMENDMENT

The major components (from Boral's perspective) of Amendment C162 to the Melton Planning Scheme ("the Amendment") are:

- Rezoning of the PSP area to Urban Growth Zone (UGZ9: Mt Atkinson & Tarneit Plains PSP) and insertion of a new Schedule 9 to the UGZ;
- Incorporation of the Mt Atkinson & Tarneit PSP into the Melton Planning Scheme
- Application of a Development Contributions Plan Overlay (DCPO9) to the PSP area (the DCP is yet to be prepared);
- Introduction of a referral to the Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990 for a permit application to subdivide land or construct a building or carry out works on land identified within the "Quarry Sensitive Use Buffer" in the PSP.

3.2 THE PSP

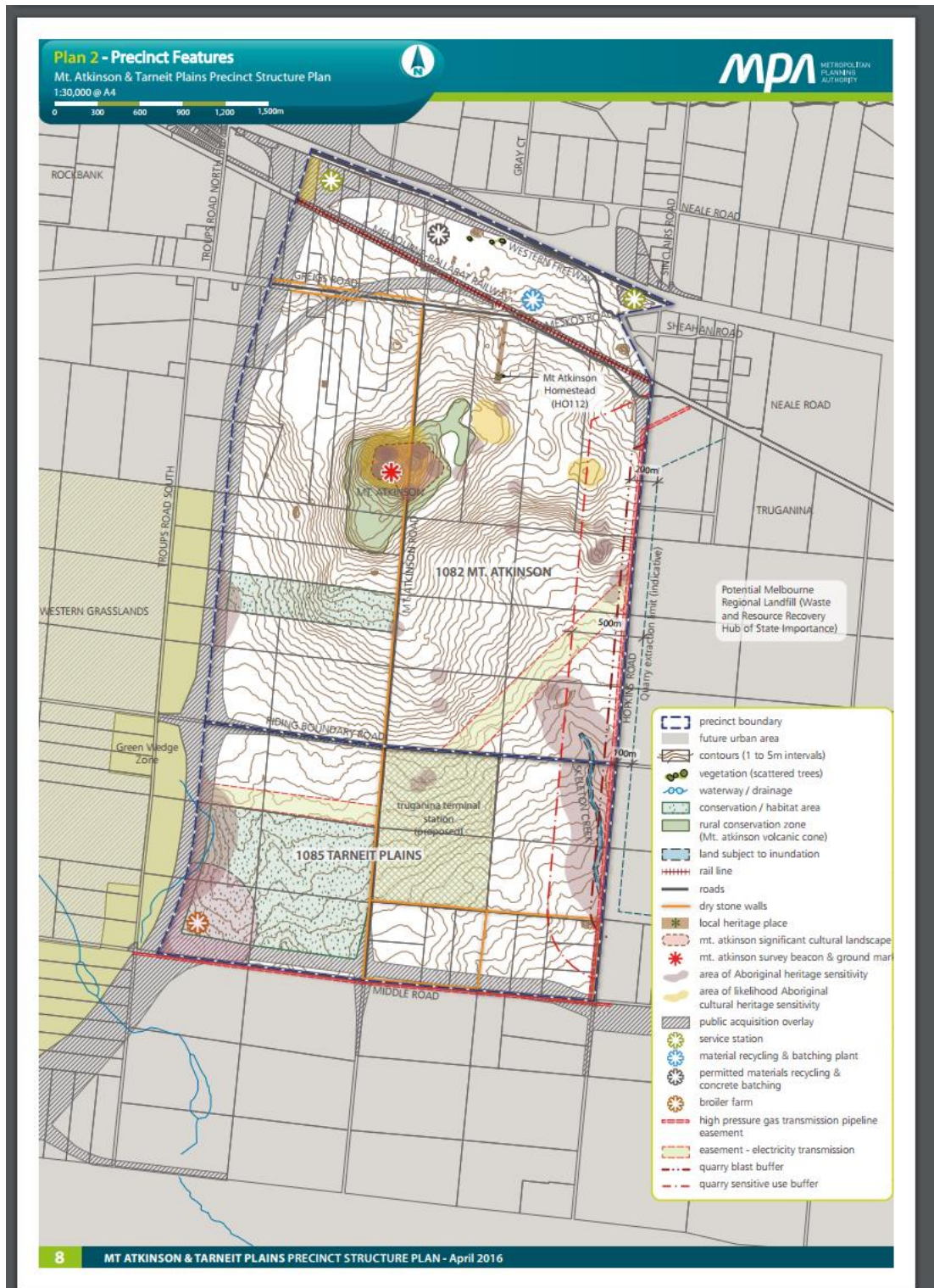
The PSP provides for:

- The provision of 6,700 new dwellings in the PSP area, primarily around the Mt Atkinson Recreation Reserve;
- The provision of 18,000 jobs in the industrial and commercial precincts. These precincts include:
 - A specialised town centre around a potential new railway station to the north
 - Mixed use areas to the east and west of the town centre
 - Business/large format retail, business and industrial/light industrial precincts west of Hopkins Road.

The PSP deals with the Boral quarry as follows:

Plan 2: Precinct Features (page 8)

Plan 2 from the PSP is reproduced on the following page. It depicts an indicative quarry extraction limit, a 200m blast buffer and a 500m quarry sensitive use buffer.



Map 1: Precinct Features (Plan 2 of PSP)

Plan 3: Future Urban Structure of the PSP is essentially the land use or zoning plan for the PSP. It depicts open space, business/large format retail (applied zone: Commercial 2), business (Commercial 2), industrial (Industrial 1) and light industrial (Industrial 3) uses within the sensitive use 500m buffer. All of these applied zones prohibit residential uses (other than

Caretaker's house).

Section 2.2: Response to Adjoining Existing and Proposed Uses (page 12):

"This PSP, and Schedule 9 to the UGZ, have responded to the existing quarry buffers established to protect the operation of the state significant Deer Park Quarry. These buffers are represented on Plan 2- Precinct Features.

The quarry blast buffer extends 200m from the approved quarry works authority and Schedule 9 to the UGZ identifies restrictions on use and development within this area.

The quarry sensitive use buffer extends 500m from the approved quarry works authority. The West Growth Corridor Plan identifies land with a width of approximately 500m from the western edge of Hopkins Road as the Hopkins Road Business Precinct. Schedule 9 to the UGZ identifies restrictions on use and development within the quarry sensitive use buffer.

Additionally, Schedule 9 to the UGZ outlines specific referral requirements to relevant authorities."

Section 2.3: Objectives (page 13)

Objective O10 states:

"Ensure appropriate planning controls are established for uses located within the quarry sensitive use buffer to ensure the ongoing viability of these uses and the Deer Park Quarry into the future."

Section 3.2.3: Employment Areas

Requirement R30 is:

"Buildings must be located at the front of any site to present an attractive address to the street, other than where the quarry blast buffer applies."

Requirement R37 includes:

"Landscaping of the Hopkins Road frontage, to present an attractive frontage while responding to the quarry buffer requirements (Hopkins Road Business Precinct only)."

"The location of building entries must front away from Hopkins Road, to respond to the potential adverse amenity from the Deer Park Quarry (Hopkins Road Business Precinct only)."

4 PLANNING POLICIES & CONTROLS SUPPORTING BORAL'S QUARRYING OPERATIONS

Whilst the planning scheme requires an informed balancing of competing policy outcomes (Clause 10.04 of the Melton Planning Scheme) there are a number of existing policies,

controls and guidelines that support the ongoing quarrying and associated activities over the Boral site. These are outlined below.

4.1 STATE PLANNING POLICY FRAMEWORK

The State Planning Policy Framework is the enunciation of State planning policies common to all Victorian new format planning schemes. State planning policies relevant to Boral's operations include:

- Clause 10.02: Goal which repeats the objectives of planning in Victoria under the *Planning and Environment Act, 1987*. The second and third objectives are:
“(b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.
(c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.”
- Clause 11: Settlement. Planning seeks to protect environmentally sensitive areas and natural resources.
- Clause 11.02-1: Supply of Urban Land. Planning for urban growth should consider the limits of land capability and natural hazards and environmental quality.
- Clause 13.04-1: Noise Abatement. The objective seeks to assist the control of noise effects on sensitive land uses. The strategy seeks to ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area. The policy references SEPP N-1.
- Clause 13.04-2: Air Quality. The relevant strategy is to ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses. The policy references the EPA document *Recommended Buffer Distances for Industrial Residual Air Emissions*.
- Clause 14.03: Resource Exploration and Extraction, The objective is:
“To encourage exploration and extraction of natural resources in accordance with acceptable environmental standards and to provide a planning approval process that is consistent with the relevant legislation.”

Relevant strategies include:

- “Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and application of acceptable environmental practice.*
- Provide for the long term protection of natural resources in Victoria.”*
- “Buffer areas between extractive activities and sensitive land uses should be determined on the following considerations:*
 - *Appropriate limits on effects can be met at the sensitive locations*

using practical and readily available technology.

- *Whether a change of land use in the vicinity of the extractive industry is proposed.*
- *Use of land within the buffer areas is not limited by adverse effects created by the extractive activities.*
- *Performance standards identified under the relevant legislation.*
- *Types of activities within land zoned for public use.”*

The policy references *Melbourne Supply Area - Extractive Industry Interest Areas Review -Geological Survey of Victoria Technical Record 2003/2.*

4.2 MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is the expression of the planning vision, objectives and strategies at the municipal level of consideration.

The Melton Planning Scheme MSS identifies the long established extractive and related manufacturing industries are a key feature of the region’s economy (Clause 21.01-6).

The Boral Quarry is identified as one of the major existing employment areas in the City (Clause 21.01-6).

4.3 ZONING

The Boral quarry site is almost entirely in a Special Use Zone (SUZ1: Earth and Energy Resources Industry), recognising its role as a quarry (refer Map 2 over page).

The Schedule purposes are:

“To recognise or provide for the use and development of land for earth and energy resources industry.

To encourage interim use of the land compatible with the use and development of nearby land.

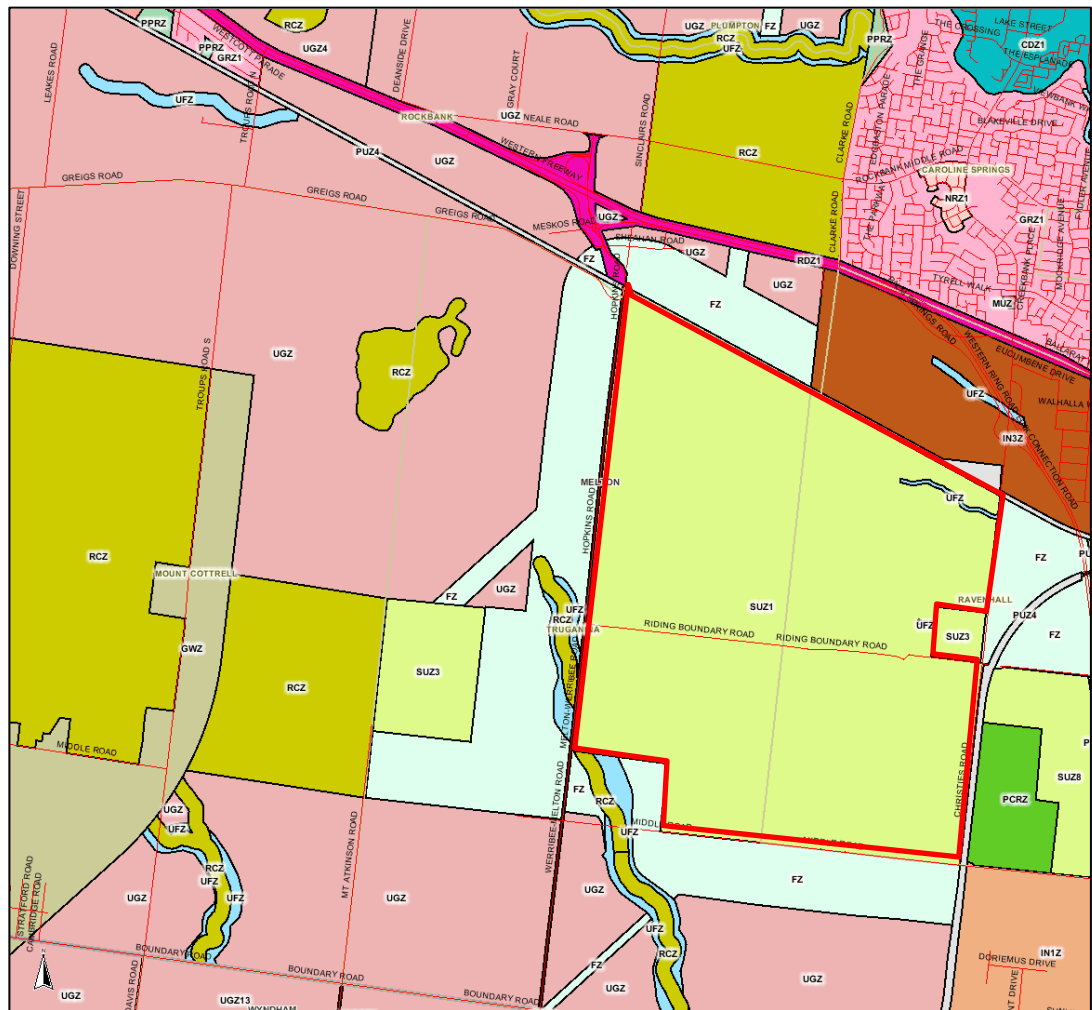
To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.”

4.4 PARTICULAR PROVISIONS

4.4.1 Earth and Energy Resources Industry

Clause 52.08: Earth and Energy Resources Industry has as its first purpose:

“To encourage land to be used and developed for exploration and



Map 2: Zoning

“extraction of earth and energy resources in accordance with acceptable environmental standards.”

The provision primarily seeks to provide consistency between planning schemes and other legislation regulating earth and energy resources industry.

4.4.2 Stone Extraction and Extractive Industry Interest Areas

Clause 52.09: Stone Extraction and Extractive Industry Interest Areas has as its purposes:

“To ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.

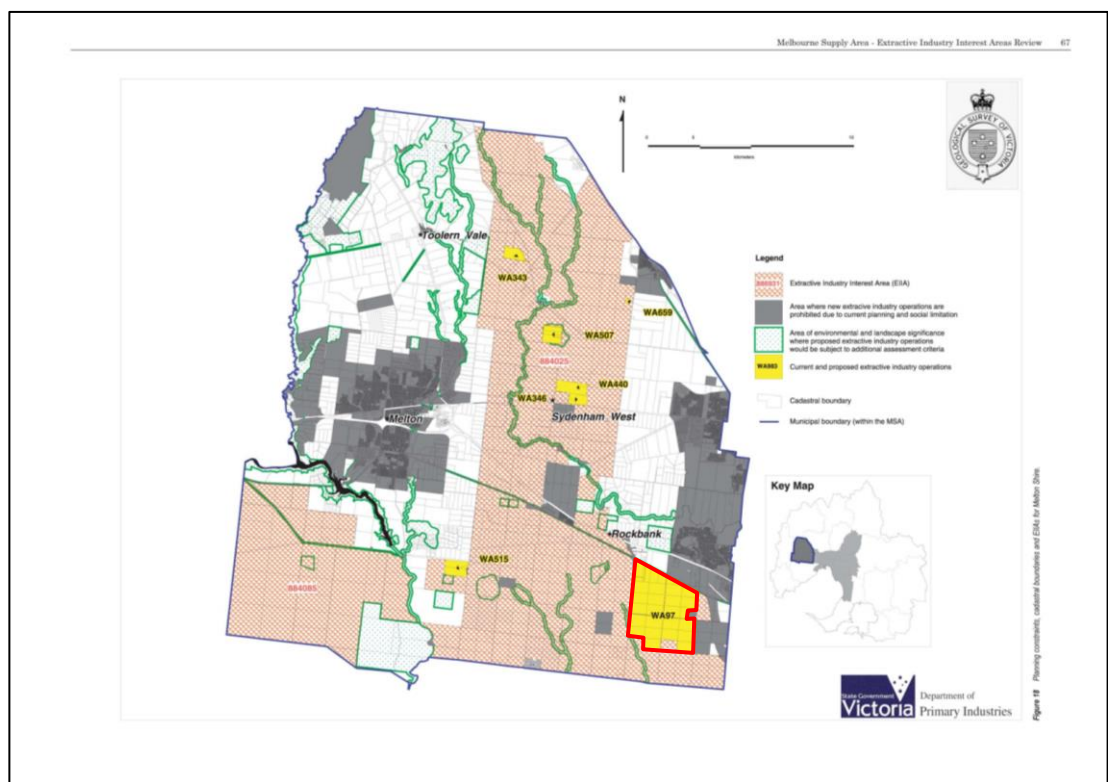
To ensure that excavated areas can be appropriately rehabilitated.

To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.”

Clause 52.09-8 requires notice of an application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital on land which is within 500 metres of land for which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990* to the Secretary of the Department administering that Act.

4.5 EXTRACTIVE INDUSTRY INTEREST AREAS REVIEW

The Boral quarry is identified in the *Melbourne Supply Area - Extractive Industry Interest Areas Review - Geological Survey of Victoria Technical Record 2003/2* as being within an area designated as “current and proposed extractive industry operations” (refer Map 3).



Map 3: Extractive Industry Interest Areas – Melton Shire

4.6 RECOMMENDED SEPARATION DISTANCES FOR INDUSTRIAL RESIDUAL AIR EMISSIONS

Recommended Separation Distances for Industrial Residual Air Emissions (EPA, March 2013) replaces an earlier similar version still referenced in the SPPF.

The document is a guideline. It provides advice on recommended separation distances between industrial land uses that emit odour and dust, and sensitive land uses. A sensitive

land use is defined in the guideline as:

“Any land uses which require a particular focus on protecting the beneficial uses of the air environment relating to human health and wellbeing, local amenity and aesthetic enjoyment, for example residential premises, child care centre, pre-schools, primary schools, education centres or informal outdoor recreation sites.”

The guideline aims to support effective decision making regarding land uses to:

- Protect human health and wellbeing, local amenity and aesthetic enjoyment
- Protect existing industry from encroachment by sensitive uses
- Prevent land adjacent to industry from being underutilised.

The guideline contains a list of recommended minimum separation distances that aims to minimise the off-site impacts on sensitive land uses arising from unintended, industry generated odour and dust emissions.

The recommended separation distance between quarrying (including quarrying, crushing, screening, stockpiling and conveying of rock with blasting) and sensitive uses is 500m.

The guideline (in Section 10.3) also references the potential for inter-industry conflict, citing the example of food manufacturing industry and extraction of minerals or stone, which may also require separation distances.

4.7 PLAN MELBOURNE

Maps 8 and 31 of *Plan Melbourne – Metropolitan Planning Strategy* (May 2014) identifies the Boral site as being within an area designated “State significant industrial precinct – future”.

Initiative 1.3.3 is to:

“Recognise and protect natural resource extraction.”

The commentary states:

“Quarries and natural resource assets are important to support the state’s growth by maintaining a cost-effective and timely supply chain for the construction industry. Access to natural resources needs to be protected from incompatible development or encroachment that would prevent their ability to operate.

In the short term

- *Identify and map significant natural resource assets, including existing quarries and their buffer areas and natural resources suitable for future quarrying.*
- *Review planning provisions to protect quarries and future natural resource assets from incompatible land use and development.”*

4.8 WEST GROWTH CORRIDOR PLAN

In June 2012 the Growth Areas Authority (now Victorian Planning Authority) completed the Growth Corridor Plans for each of Melbourne's designated growth corridors. The growth corridor plans provide high level strategic guidance on the preparation of PSPs in the growth areas. The plan depicts the Boral site as "quarry" (refer Map 4 over page).

Section 3 of the Growth Corridor Plans document outlines planning principles for all growth corridors. It states under Section 3.7.4: Maintaining Local Quarrying Potential:

"The Growth Corridors contain significant mineral resources and a number of operating quarries. To avoid the need to transport construction materials substantial distances it is important to enable the continued operation of these quarries and for appropriate buffers to be maintained from the working surfaces of all quarries."

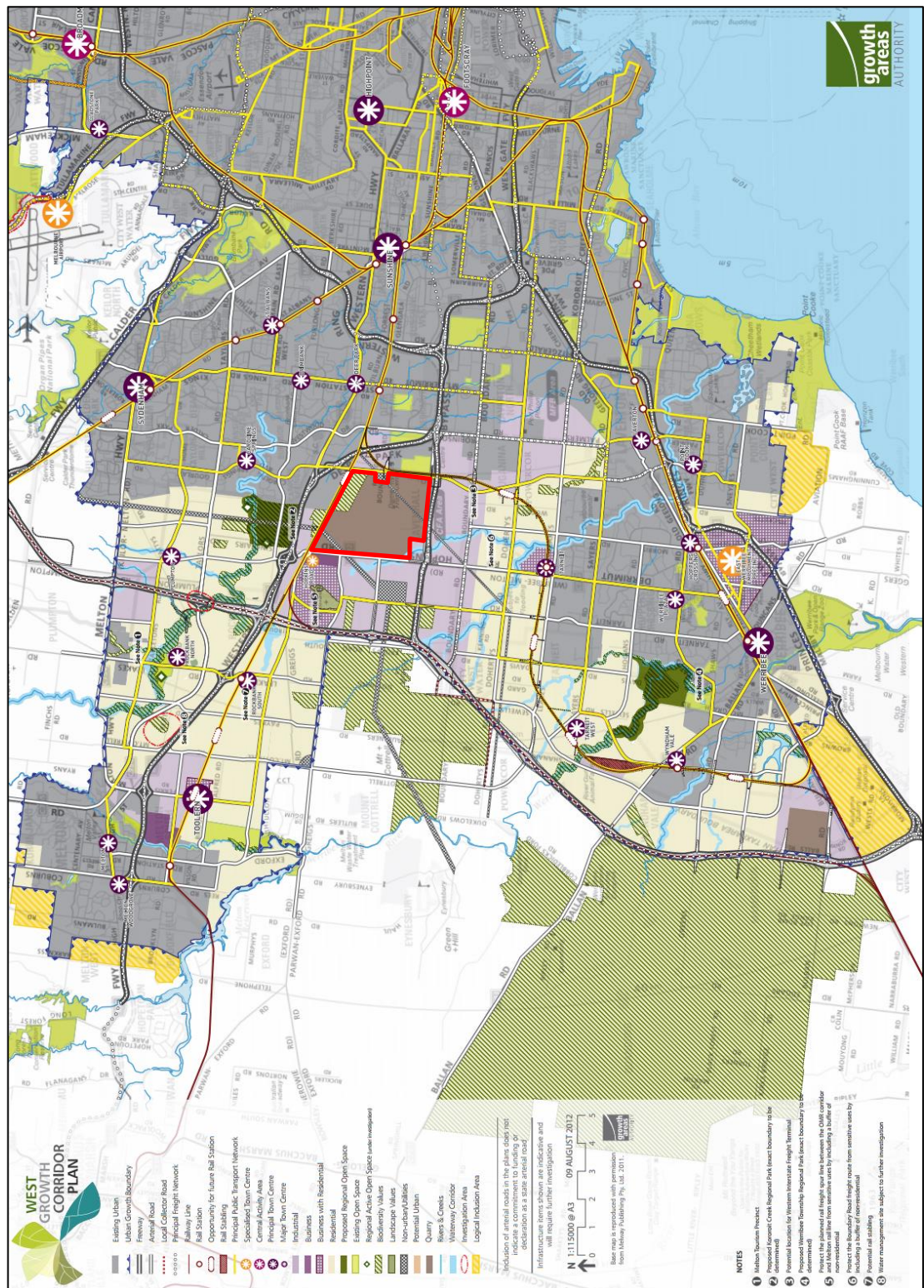
Section 4 specifically deals with the West Growth Corridor Plan. Under Section 4.7: Other Infrastructure, the plan states:

"[The West Growth Corridor Plan] ensures that approved and operational quarries are protected from encroachment by sensitive land uses and identifies industrial or commercial development activities adjacent to existing Holcim and Boral quarry sites within/adjacent to the UGB. On that basis, these precincts could be rezoned from Farming Zone to Urban Growth Zone. Any buildings proposed within 200m of the title boundary of these quarries will be subject to a risk assessment to be undertaken at PSP stage, to ensure that the impact of rock blasting is acceptable."

5 PLANNING CONSIDERATIONS

My instructions require me to consider whether Amendment C162 and the PSP adequately respond to the quarry, and in particular, whether they address potential amenity impacts from the quarry such as airblast, vibration, noise and dust.

I am assisted by the detailed submission to the exhibited Amendment and PSP prepared by Tract on behalf of Boral. It is appropriate that I comment on the various matters raised by that written submission.



Map 4: West Growth Corridor Plan

5.1 RESPONSE TO THE BORAL (TRACT) SUBMISSION

Uses Within the Quarry Sensitive Use Buffer

The submission seeks to include Residential hotel, Caretaker's house and Place of assembly as prohibited uses within the Quarry Sensitive Use Buffer.

My Response

Residential hotel is nested in the definition of Residential building, which in turn is nested in the definition of Accommodation. Accommodation (other than Caretaker's house) is prohibited in the Industrial 1 and Industrial 3 zones. Therefore, a Residential Hotel is prohibited in both zones.

Both Motel and Residential hotel are Section 2 permit required uses in the Commercial 2 Zone. On the one hand, they are discretionary permit required uses and the existence of the buffer would form part of the decision making process on an application. On the other hand, there are other areas such as the applied Commercial 1 and Mixed Use Zones under the PSP where such uses could more appropriately be located in or close to the town centre and therefore the issue of amenity impacts can be avoided by prohibiting both uses within the quarry sensitive use buffer. I favour the latter course given the existence of other more suitable areas outside the buffer to accommodate these uses.

In relation to Caretaker's house I note that all industrial zones include Caretaker's house as a Section 2 permit required use, including the Industrial 2 Zone which is intended to accommodate industries requiring buffers. However, I am instructed by Boral that if any dwelling (including a farm dwelling or a caretaker's house) is constructed within 500m of the quarry area, modifications may need to be made to Boral's quarrying requirements such as hours of operation and/or setbacks of quarry operations. That being the case, a prohibition on Caretaker's house within the quarry sensitive use buffer is warranted.

Place of assembly is a specified Section 2 permit required use in the three non-public land zones that apply to the buffer. Unless there is a risk of danger to life, health and property, I expect that a Place of Assembly could be designed to reduce amenity impacts such as dust. In my view Place of assembly should remain a Section 2 permit required use in the three applied zones.

Inter Industry Conflict

The submission seeks a new specific provision to be added to UGZ9 to trigger a planning permit for use of land within the sensitive use buffer with an application requirement for a reverse amenity and buffer assessment. The submission refers to potentially affected uses as being food preparation/manufacturing, panel beating, paint workshops, computer or electronic uses or other uses sensitive to dust and vibration, offices, food and drink premises, retail and shops – uses where employees and customers may spend considerable time or have high amenity expectations. Some of these will not otherwise require a permit.

Response

The implication of this submission is that every use not prohibited in the sensitive use buffer area should require a permit (even some forms of industrial use such as food manufacturing).

I am guided by the definition of “sensitive use” under the EPA separation distances guideline. Whilst it specifically refers to the more traditional sensitive uses of residential, child care, schools, etc as examples, it also refers to *“any land uses which require a particular focus on protecting beneficial uses of the air environment relating to ... local amenity and aesthetic enjoyment”*. This can apply to the above uses identified in the submission, not traditionally regarded as sensitive uses. There is, therefore, scope under the guideline to include other uses which may not be as sensitive as say, residential uses, but still have some sensitivity to the amenity impacts of quarrying operations. I am also guided by the discussion of inter-industry conflict in Section 10.3 of the EPA guideline document which may require separation distances from these uses.

Whilst I do not consider it necessary to provide a reverse amenity and impact buffer report in all cases (this could be required on a case by case basis through a Section 54 RFI request), I consider it appropriate that if not prohibited, all uses should be subject to permit where proposed within the quarry sensitive use buffer area. An additional Clause 7.0 Decision Guideline along the following lines could also be included:

“Before deciding on an application to use land for any purpose within the Quarry Sensitive Use Buffer on Plan 2 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan, the responsible authority must consider the potential impact of quarrying operations on the future amenity of that use with respect to airblast, vibration, noise and dust.”

Prohibition of Buildings Within the 200m Blast Buffer

The submission seeks a prohibition of buildings within the 200m blast buffer.

Response

I understand other expert evidence will be provided on this matter. However, the submission is correct in asserting that the PSP (at Section 2.2) states that UGZ9 identifies restrictions on use and development within the blast buffer when in fact it does not. There is a reference at Section 4.7 of the West Growth Corridor Plan for a need for a risk assessment at PSP stage to ensure that the impact of rock blasting is acceptable, but there is no apparent risk assessment provided.

Hopkins Road Employment Area

The submission seeks additional requirements for employment areas opposite the quarry. It seeks:

- An additional Requirement to minimise potential impacts from the operation of the quarry;
- Modification of the UDF Requirement (R37) in relation to building entries so that it applies to all areas opposite the quarry.

Response

Both matters appear to be appropriate for the reasons set out in the submission. However, I note that a UDF is required only for the Hopkins Road Employment area along Hopkins Road, so the requirement for building entries being located away from Hopkins Road should not only be included as a UDF Requirement but as a separate Employment Area Requirement.

Consultation on the Hopkins Road UDF

The submission seeks consultation with the quarry operator and the Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990* during the preparation of the Hopkins Road Business Precinct UDF.

Response

Given that there are other provisions relating to the quarry interface elsewhere in the PSP, this requirement for consultation is appropriate. Alternatively, the views of both bodies could be included as a separate dot point under R37 (Hopkins Road Employment Precinct only).

Hopkins Road Widening

Although the PSP is silent about which side of the road intersection widenings along Hopkins Road are planned, there is an inference that these will occur on the east (Boral) side, within the Boral blasting and landscape buffer areas. The submission questions the merit of bringing vehicles close to the blasting area.

Response

I note that the PSP (Plan 9) indicates Hopkins Road will be a 6 lane arterial road. There is mention of intersection widenings along Hopkins Road in Table 9 (pages 71-72), but no mention of a general widening of Hopkins Road. There is no Development Contributions Plan to further inform this matter.

Appendix G: Easement Cross Sections (page 119) of the PSP depicts a 20.0 m (approx.) Gas Pipe Easement with a 7.0 metres wide mixed use pathway to the east and then a 41.0 metres Primary Arterial Road, extending to 48 metres from the pipeline easement. The only pipeline easement shown in the PSP is the high pressure gas transmission pipeline easement located on the western boundary of Hopkins Road. The Hopkins Road reserve is probably an old one chain wide reserve (20.1 metres wide). To achieve the indicative cross section shown in Appendix G requires an additional 28 metres to the 20 metres available in the road reserve. The only land available to achieve this cross section is land owned by Boral, assuming the pipeline is fixed and a widened road cannot be built over its easement. There is no indication in the PSP that this land is to be acquired (perhaps because it is outside the PSP area).

Presumably the widening will either bring the road closer to the quarry work area or the quarry work area will need to be set back further along Hopkins Road for an approximate width of 28 metres, noting that Boral has an unworked boundary to Hopkins Road of almost 4 km in length. The loss of quarrying resource is therefore potentially substantial (approximately 11 ha in area).

Notice and Review

The submission seeks the giving of notice and the right of review to the quarry operator for all applications within the Quarry Sensitive Use Buffer.

Response

I agree that as an existing operator outside the PSP area whose ongoing operations are supported by planning scheme policy and controls, and with the potential for adverse

impacts on a number of future land uses, Boral should be assigned notice and appeal rights for applications within the sensitive use buffer area. However, it appears the exemption provided to the pipeline operator under Clause 6 of UGZ9 requires notice but may not assign review rights to the pipeline operator. Clause 6.1 of UGZ9 on the other hand clearly assigns both notice and review rights but does not mandate notice. A combination of similar provisions could be applied to applications within the sensitive use buffer area.

Other Recognition

The submission seeks:

- Inclusion of the sensitive use and blast buffer lines on Map 1 of UGZ9;
- Include the words “state significant quarry” on Plan 2: Project Features; and
- Acknowledge the quarry elsewhere throughout the PSP.

I agree with the inclusion of both buffers on Map 1 of UGZ9 (and therefore Plan 3 of the PSP which is identical). Depicting the buffers on this plan is appropriate given the sensitive use buffer is referenced in associated text in the same document (UGZ9) and there may be a need for additional text in relation to the blast buffer. A similar example of depicting a buffer on the UGZ schedule Map 1 is in the Greater Geelong Planning Scheme UGZ2 where a 1,000m buffer around a broiler farm is depicted (refer Plan 1 over page). Dwellings are prohibited in the buffer area under that zone schedule.

I also agree that the quarry should be acknowledged as a precinct feature outside of the precinct on Plan 2 of the PSP in the same way other land uses outside the PSP area are acknowledged on that plan (ie. the potential landfill, Western Grasslands), given that the quarry significantly influences the PSP structure in the western part of the PSP area.

I do not consider it necessary for any other plan to acknowledge the quarry.

5.2 ADEQUACY OF THE AMENDMENT AND PSP WITH RESPECT TO BORAL

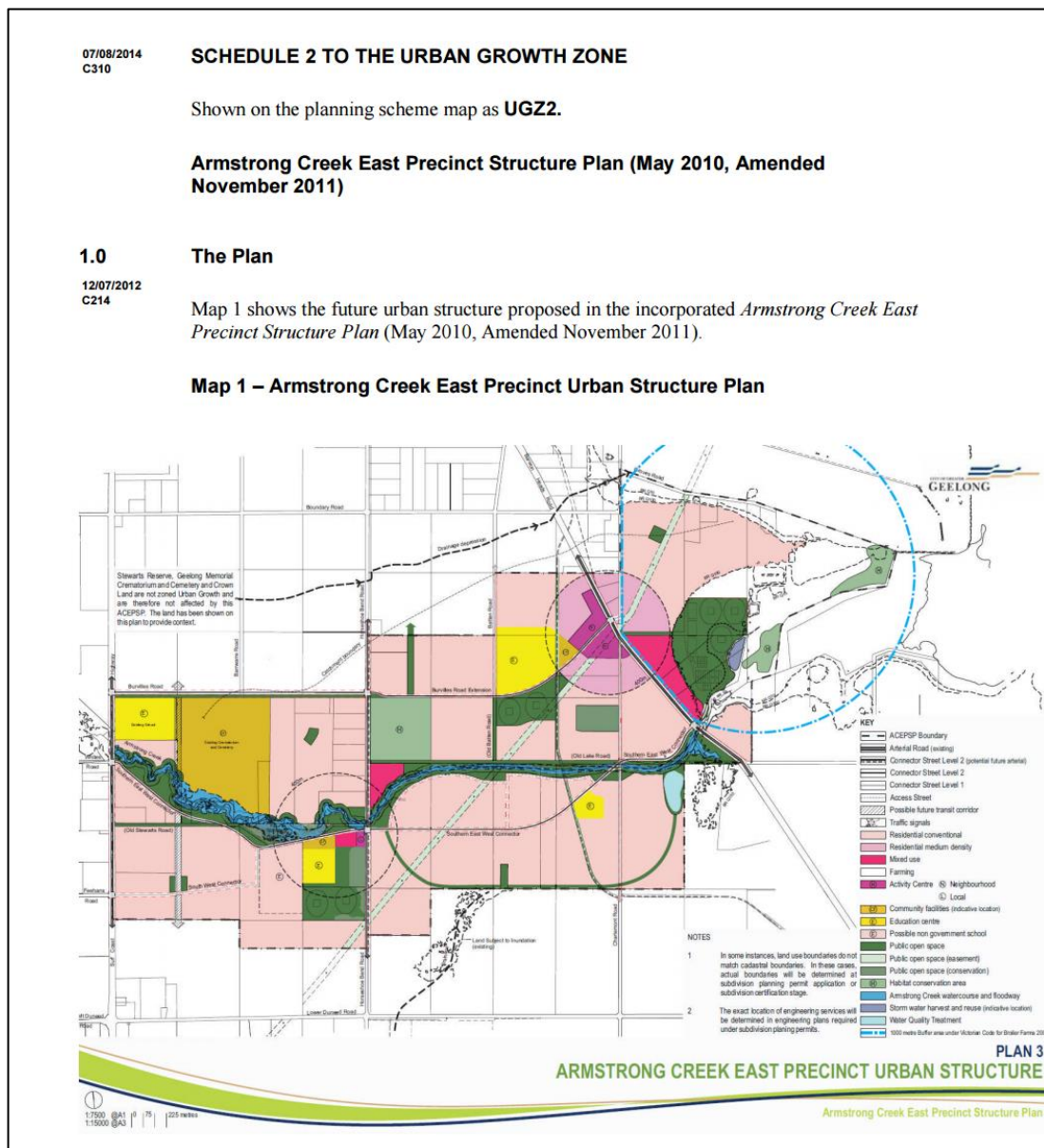
The Tract submission identifies a number of specific issues to improve both the Amendment and the PSP having regard to the Boral Quarry.

As noted, the Boral Quarry operations are supported by existing planning policy and controls.

UGZ9 and the PSP acknowledge the existence of the Boral quarry and the 500m sensitive use buffer. Whilst the 200m blast buffer is shown in the PSP, there is no accompanying text in either document as to how use and development is affected by the buffer. I understand separate evidence will be provided to the Panel on this matter.

As described elsewhere in this report, the strategic justification for both buffers is provided by:

- the SPPF
- the MSS
- the Special Use zoning of the quarry



Plan 1: Greater Geelong Planning Scheme UGZ2 Map 1

- Clause 52.08
- Clause 52.09
- Melbourne Supply Area - Extractive Industry Interest Areas Review -Geological Survey of Victoria Technical Record 2003/2, a reference document in the planning scheme
- Plan Melbourne
- The West Growth Corridor Plan.

The strategic planning justification for the extent of the buffer distances is at least partly provided for by the West Growth Corridor Plan (which identifies a 200m blast buffer) and the EPA Separation Distances Guideline (a reference document in the planning scheme, which identifies a 500m sensitive use buffer).

Subject to the specific changes I have recommended above, I am satisfied that UGZ9 and the PSP otherwise adequately deal with the Boral quarry issues.

6 CONCLUSIONS

I am of the view the UGZ9 schedule and the PSP acknowledge the Boral Quarry. Both could be strengthened and improved by:

- Prohibiting Motel and Residential Hotel within the Quarry Sensitive Use Buffer in the applied Commercial 2 Zone in UGZ9 and Caretaker's House within the Quarry Sensitive Use Buffer in the applied Industrial 1, Industrial 3 and Commercial 2 Zones in UGZ9 ;
- Requiring all new land uses within the Quarry Sensitive Use Buffer to require a permit and including a decision guideline referencing the potential impact of the quarry on that use in UGZ9;
- Subject to other evidence, including controls within the 200m blast buffer, including the treatment and location of widened intersections along Hopkins Road and the implied general widening of Hopkins Road;
- Including a general building entry Requirement for development along Hopkins Road in the PSP;
- Including a consultation requirement in the preparation or approval of the Hopkins Road Employment Precinct UDF in the PSP;
- Including notice, decision and review rights for applications made within the Quarry Sensitive Use Buffer area in UGZ9;
- Inclusion of both buffers on Map 1 of UGZ9 and Map 3 of the PSP;
- Acknowledgement of the Boral quarry on Map 2 of the PSP.

I have made all of the enquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge, been withheld from the Panel.



Andrew Clarke B.TRP (Hons.), MPIA
1 September 2016

ATTACHMENT 1: ANDREW CLARKE CURRICULUM VITAE

CURRICULUM VITAE

ANDREW CLARKE

OCCUPATION: Consultant Town Planner

DATE OF BIRTH: 9th July 1960

NATIONALITY: Australian

ACADEMIC QUALIFICATIONS:

Bachelor of Town and Regional Planning (Hons.), University of Melbourne, 1982

PROFESSIONAL AFFILIATIONS:

Corporate Member, Planning Institute of Australia

Member, Victorian Planning and Environmental Law Association

SUMMARY OF CAREER HISTORY:

- Director, Matrix Planning Australia Pty Ltd, 2001-present
- Planning Manager, Fisher Stewart Pty Ltd, 1995-2001
- Senior Planner, SJB Planning Pty Ltd, 1993-1995
- Senior Planner, Fisher Stewart Pty Ltd, 1992-1993
- Town Planner/Senior Planner/Associate, Wilson Sayer Pty Ltd/Wilson Sayer Core Pty Ltd, 1982-1991

OVERVIEW OF EXPERIENCE AND EXPERTISE

Since 1982, Andrew Clarke has been employed as a consultant town planner, providing advice to private individuals and firms, as well as Commonwealth, State and local government.

The particular expertise of Andrew Clarke has been in the area of planning and development approvals associated with a range of residential, commercial, industrial, recreational and institutional development projects.

Andrew regularly appears as an expert witness in planning panels, tribunals and courts. Between 1988 and 2015, Andrew was regularly appointed by the Minister for Planning to sit on and chair planning panels and enquiries including advisory committees, environment effects statements and planning scheme amendments.

Andrew is a former secretary (1990-91 and 1992-93) and chair (1993-94) of the Australian Association of Planning Consultants (Victoria Division).

Andrew established Matrix Planning Australia Pty Ltd in June 2001 as a town planning consultancy.

Representative projects undertaken by Andrew under the Matrix Planning Australia Pty Ltd banner include:

- Melbourne Cricket Ground Northern Stand Redevelopment for MCG5 Sports Architects on behalf of the Melbourne Cricket Club and Melbourne Cricket Ground Trust (2001)
 - Central Creek Grasslands Residential Subdivision and Conservation Project for the Urban and Regional Land Corporation (2001)
 - Pharmacy College, Redevelopment, Royal Parade Parkville for the City of Melbourne (2001)
 - Watt Road Mornington, Residential Rezoning and 100 Lot Subdivision for private client (2001-2002)
 - CSIRO Division of Petroleum Resources, Syndal, Subdivision Development, for CSIRO (2002)
 - Hutchison Telecommunications Mobile Phone Towers Visual Impact Assessment, Hoppers Crossing (2001)
 - Marlows Ltd, Marlows automotive outlets, Sunshine and Preston (2001-2002)
 - Melbourne Sports and Aquatic Centre, Stage 2 Redevelopment for 2006 Melbourne Commonwealth Games (2002)
 - The Esplanade Hotel, St Kilda Redevelopment for the City of Port Phillip (2002)
 - Deakin University Melbourne Campus, Burwood, development control advice for Deakin University (2002)
 - BassGas Project Environmental Effects Statement Panel Inquiry Chair for Victorian Department of Infrastructure (2002)
 - Cheltenham Green: Land Subdivision, Apartment and Townhouse Complex, Cheltenham for VicUrban (2003) (2008 Winner Urban Development Institute of Australia (Vic) Award for Excellence in the category of Urban Renewal Projects)
 - West Field Coal Mine Hazelwood Project, for International Power – Hazelwood (2004-2005)
 - Various School Building and Site Extensions for Brighton Grammar School (2004)
 - Parkside Gardens Residential Subdivision, Shepparton, for VicUrban (2004)
 - South Melbourne Supermarket and Mixed Use Commercial Development, for private client (2005)
 - Mortlake Gas Fired Power Station, for Origin Energy (2005-2006)
 - School Expansion Planning Scheme Amendment and Stage 1 Buildings Permit, for Donvale Christian College (2005-2006) and Plenty Valley Christian College (2008-2009)
 - Princes Highway, Traralgon Bypass, for Department of Primary Industries (2007)
 - Shaw River Gas Fired Power Station and Gas Pipeline, for Santos Ltd (2009-2010)
 - Planning Controls Assessment, Nelson Place, Williamstown for Nelson Place Village Pty Ltd (2011)
 - Numerous Licensed Premises Amenity Impact Assessments (ongoing)
 - Numerous residential unit and land subdivision proposals for various private clients (ongoing)
 - Numerous highest and best use advices and opinions in relation to land acquisition and compensation cases
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