

Prepared for  
Mount Atkinson Holdings Pty Ltd

Prepared by  
David Crowder  
2 September 2016

Town Planning Expert Evidence

Amendment C162 to Melton  
Planning Scheme

planning:evidence

**Prepared for:**

Mount Atkinson Holdings Pty Ltd  
Our reference 13694R001

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# Table of contents:

Chapter / Section	Page No.
<b>1 Introduction / Witness Statement:.....</b>	<b>4</b>
1.1 Introduction .....	4
1.2 Name and Address .....	4
1.3 Qualifications and Expertise .....	4
1.4 Relevant Expertise .....	4
1.5 Declaration .....	4
1.6 Summary Opinion .....	5
<b>2 The Study Area and Surrounds: .....</b>	<b>6</b>
2.1 Physical Context .....	6
<b>3 Planning Policy Context - Overview: .....</b>	<b>10</b>
3.1 State Planning Policy Framework (SPPF).....	10
3.2 Local Planning Policy Framework (LPPF).....	13
3.3 Current Zones / Overlays.....	15
3.4 West Growth Corridor Plan.....	16
3.5 Other Relevant Strategic Initiatives.....	17
<b>4 Amendment C162: .....</b>	<b>18</b>
4.1 What is proposed .....	18
<b>5 Planning Issues / Considerations: .....</b>	<b>21</b>
5.1 Introduction / Overview.....	21
5.2 General Commentary on Amendment C162.....	21
5.3 Specific Issues .....	22
<b>6 Conclusion / Recommendations: .....</b>	<b>32</b>

## 1.1 Introduction

- 1.1.1 I have been requested by Rigby Cooke Lawyers on behalf of Mount Atkinson Holdings Pty Ltd to undertake a town planning assessment with respect to the merits of Amendment C162 to the Melton Planning Scheme.
- 1.1.2 I have been engaged to appear as an expert witness and provide my opinion on Amendment C162 and the controls proposed and, in particular, how they relate to land generally bound by Greigs Road to the north, Hopkins Road to the east, Middle Road to the south and Mt Atkinson Road to the west, in Truganina.

## 1.2 Name and Address

- 1.2.1 My name is David Charles Crowder. I am a Director at Ratio Consultants Pty. Ltd., which conducts its business at 9 Clifton Street, Richmond.

## 1.3 Qualifications and Expertise

- 1.3.1 I am a qualified Town Planner and have practiced town planning since 1987. My experience includes positions as Team Leader of Statutory Planning at the City of Casey and the former City / Shire of Cranbourne. I also worked at the London Borough of Hackney for 18 months, and joined Ratio Consultants in June 2000.
- 1.3.2 I hold a Bachelor of Town and Regional Planning (Hons) Melbourne University.
- 1.3.3 I am also a member of the Victorian Planning and Environmental Law Association (VPELA) and the Planning Institute of Australia (PIA).

## 1.4 Relevant Expertise

- 1.4.1 As a Team Leader in local government for some 7 years, and now as a Director at Ratio Consultants Pty Ltd, I have had to assess and provide strategic and land-use planning advice on a wide range of town planning issues. This experience has included the giving of evidence at Planning Tribunals and Panels.

## 1.5 Declaration

- 1.5.1 I have made all the enquiries that I believe are desirable and appropriate and no matters of significance that I regard as relevant have, to my knowledge, been withheld from the Panel.
- 1.5.2 I further advise that:
  - I was briefed by Rigby Cooke Lawyers on 22 August 2016.
  - I was formally engaged by Mount Atkinson Holdings Pty Ltd on 31 August 2016.
  - I inspected the site and surrounds on 31 August 2016.
  - I was assisted by Alice Maloney of this office in preparing this evidence statement.
  - I have no relationship with the client other than a business engagement to comment on this matter.
- 1.5.3 I understand the Panel will have the benefit of separate expert evidence from the following persons:
  - Hilary Marshall regarding traffic.
  - Jim Antonopoulos regarding noise.

- Mark Woodland regarding the history of strategic planning initiatives in the locale.
- Philip Mulvey regarding odour and landfill gas migration.

## **1.6 Summary Opinion**

### **1.6.1 In summary:**

- I commend the MPA<sup>1</sup> and City of Melton in undertaking this important strategic initiative.
- In a broad sense I believe the general configuration of the PSP is appropriate and site responsive<sup>2</sup>, and accords with the Precinct Structure Plan Guidelines (GAA, 2008).
- It is my expectation that, as UDF's are progressively approved and implemented, the PSP area will develop into a comprehensively planned community that celebrates the local heritage, landscape and environmental values of the area whilst delivering a variety of housing, employment and community facilities / opportunities.
- Significantly, the proposed Amendment will facilitate substantial service and employment opportunities to a rapidly growing region, enabling greater local job self-containment.
- I have made some recommendations regarding matters of detail which I believe will facilitate the improved and more efficient future implementation of the PSP's recommendations.

---

<sup>1</sup> Now VPA

<sup>2</sup> Including responding to precinct constraints, such as the existing and proposed activities on the Boral land to the east of Hopkins Road

## 2 The Study Area and Surrounds:

### 2.1 Physical Context

- 2.1.1 The Mt Atkinson & Tarneit Plains Precinct comprises 1,532ha and is typically bound by the Western Freeway to the north, Hopkins Road to the east, Middle Road to the south and the Outer Metropolitan Road Reservation (OMR) to the west. It encompasses land within Truganina, Mount Cottrell and Rockbank.

**Figure 1**

Amendment C162 area

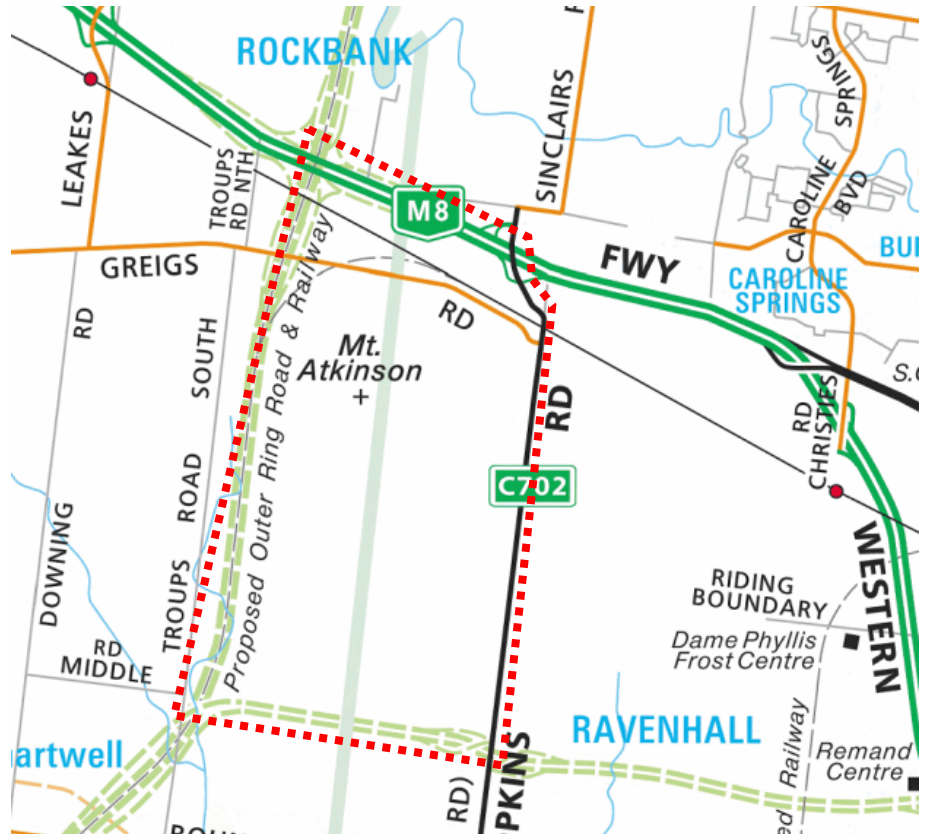


Source: Amendment C162 explanatory report

- 2.1.2 Land within the precinct is predominantly agricultural, with low density residential uses within the area. Other relevant land uses within the precinct include:
- Service stations along the Western Freeway;
  - Materials recycling and concrete batching; and
  - Broiler farm.
- 2.1.3 Features of the precinct include:
- Mt Atkinson (volcanic cone);
  - Western Freeway and associated connections;
  - Melton – Ballarat railway; and
  - Future Outer Metropolitan Road reservation.

**Figure 2**

Area within PSP



Source: [online.melway.com.au](http://online.melway.com.au)

2.1.4 Land uses / features of the surrounding area include:

- Caroline Springs suburb to the northeast;
- Boral Deer Park Quarry to the east (opposite side of Hopkins Road);
- Melbourne Regional Landfill to the east (opposite side of Hopkins Road)<sup>3</sup>;
- Dame Phyllis Frost Centre (Women's Prison) and Metropolitan Remand Centre to east of Boral land;
- Rockbank township to the northwest;
- Western Grasslands to west of future OMR.

<sup>3</sup> Sometimes referred to as Ravenhall landfill, approximately 2km from the PSP area



**Photo 1**

Aerial photograph of Mt Atkinson & Tarneit Plains PSP (indicative) and surrounds



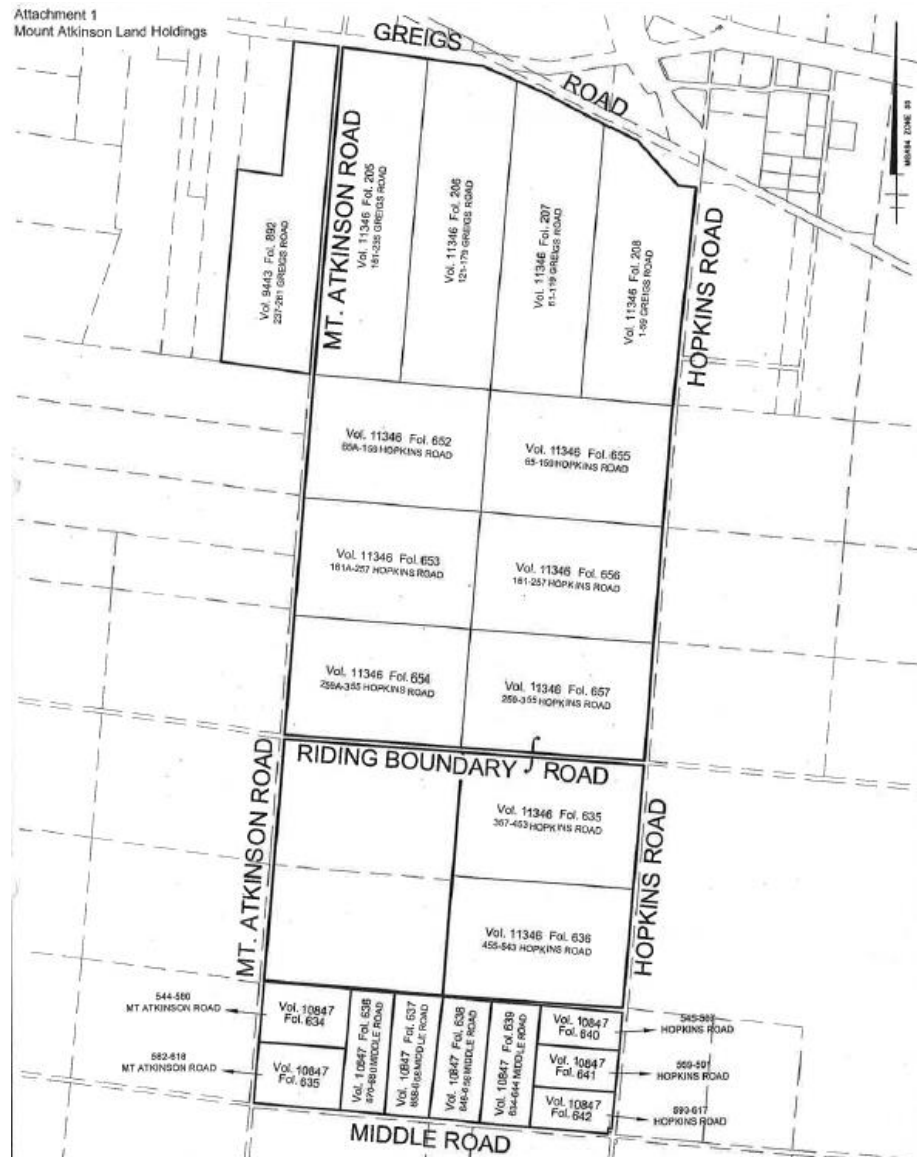
Source: [www.nearmap.com](http://www.nearmap.com)



- 2.1.5 Mount Atkinson Holdings Pty Ltd's land forms a significant proportion of the overall precinct, as evidenced in the following diagram, which indicates its land holdings are generally bound by Greigs Road to the north, Hopkins Road to the east, Middle Road to the south and Mt Atkinson Road to the west (noting one parcel is located to the northwest of this area – west of Mt Atkinson Road).

**Figure 3**

Mount Atkinson Holdings Pty Ltd land within precinct

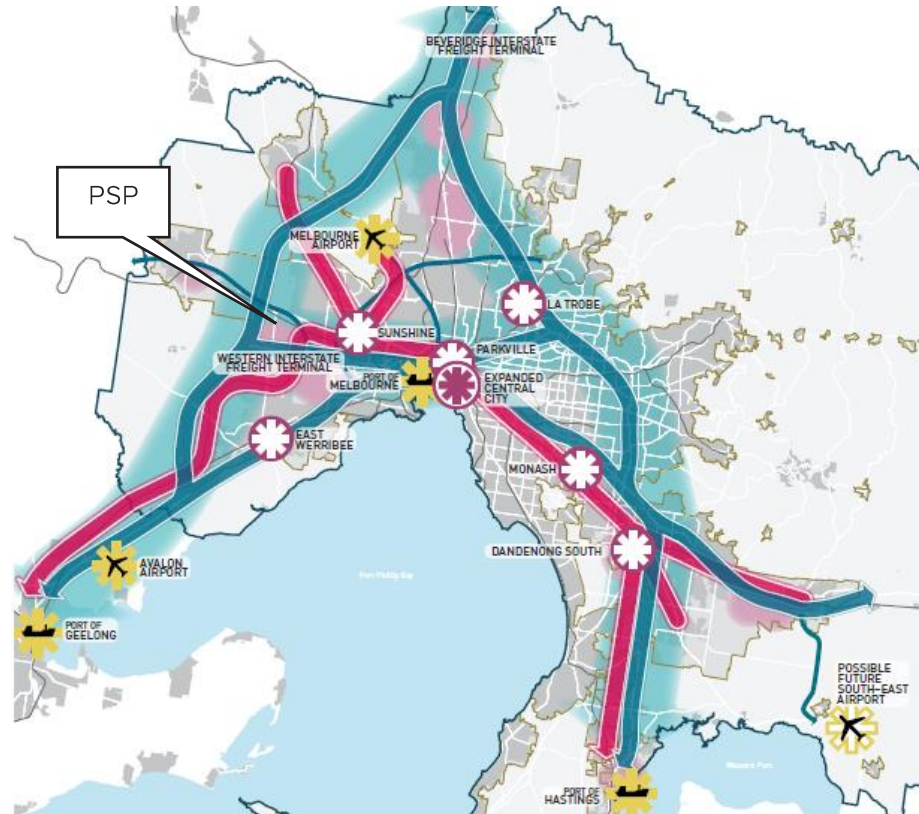


### 3.1 State Planning Policy Framework (SPPF)

- 3.1.1 There are a number of State planning policies which have relevance to the overall PSP and, more specifically, Mount Atkinson Holdings Pty Ltd's holdings:
- Clause 11.02-3 Structure Planning
  - Clause 11.02-4 Sequencing of Development
  - Clause 11.04-1 Delivering Jobs and Investment
  - Clause 11.04-5 Environment and Water
  - Clause 13.04-1 Noise Abatement
  - Clause 13.04-2 Air Quality
  - Clause 16.01-2 Location of Residential Development
  - Clause 17.01-1 Business
  - Clause 17.02-1 Industrial Land Development
- 3.1.2 These policies seek:
- To facilitate the orderly development of urban areas (Clause 11.02-3).
  - To manage the sequence of development in growth areas so that services are available from early in the life of new communities (Clause 11.02-4).
  - To create a city structure that drives productivity, supports investment through certainty and creates more jobs (Clause 11.04-1). Relevant strategies include:
    - Strengthen the competitiveness of Melbourne's employment land.
    - Improve decision making processes for State and regionally significant developments.
  - To protect natural assets and better plan our water, energy and waste management systems to create a sustainable city (Clause 11.04-5).
  - To assist the control of noise effects on sensitive land uses (Clause 13.04-1).
  - To assist the protection and improvement of air quality (Clause 13.04-2).
  - To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport (Clause 16.01-2).
  - To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities (Clause 17.01-1).
  - To ensure availability of land for industry (Clause 17.02-1).
- 3.1.3 Plan Melbourne, which has been given effect via Amendment VC106, supersedes Melbourne 2030 and Melbourne @ 5 Million and provides a strategic plan for Melbourne until 2050, where the population is expected to reach 7.7 million in 2051. Part of the focus of Plan Melbourne revolves around the creation of an integrated economic triangle.
- 3.1.4 The integrated economic triangle incorporates the linking of productive employment centres around an enhanced transport network (linking the expanded central city, national employment clusters and state-significant industrial precincts).

**Figure 4**

Integrated Economic Triangle – Plan Melbourne

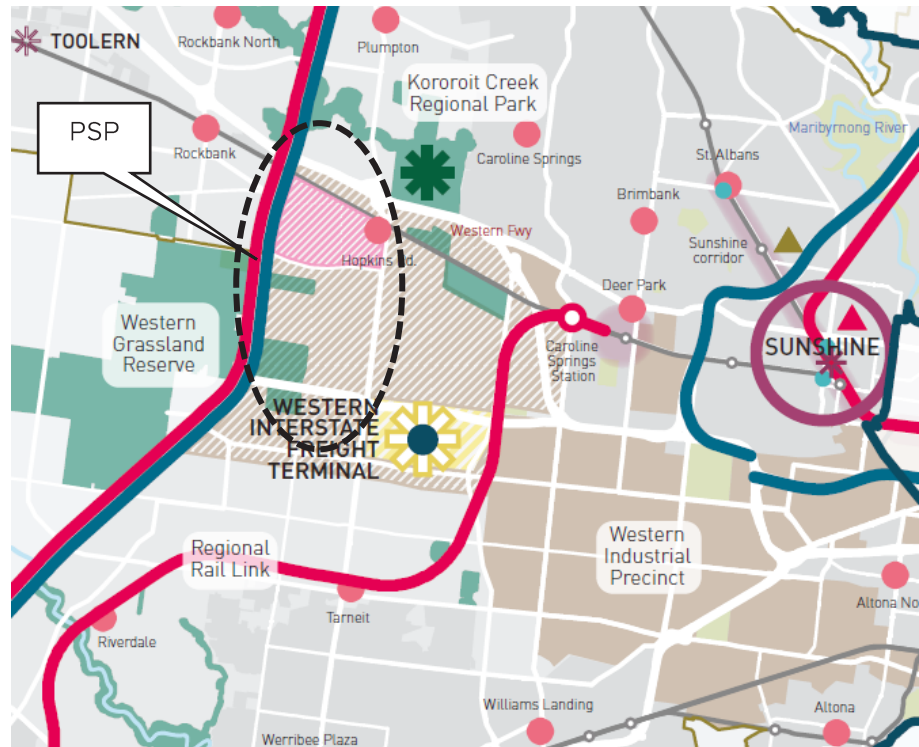


Source: p.9 Plan Melbourne

- 3.1.5 More specifically, the western subregion (where the precinct is located) envisages a population growth of 370,000 to 430,000 and future job growth of 90,000 to 125,000 up to 2031.
- 3.1.6 This is highlighted in the following excerpt, which indicates:
- New activity centre at Hopkins Road;
  - Residential and business in the northern portion of the precinct;
  - Remainder of the precinct and surrounds as being 'State-significant future industrial precinct';
  - Future Western Interstate Freight Terminal to southeast of land; and
  - Sunshine consolidated as a National Employment Cluster.

**Figure 5**

Western Subregion, including location of PSP



Source: p.176 Plan Melbourne

3.1.7 With respect to nearby buffer generating uses, I note:

- Clause 14.03 (Resource Exploration and Extraction) seeks 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.*

It has the following strategies in relation to determining buffer areas between extractive industries and sensitive land uses:

- *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*
- Clause 17.02-3 (State significant industrial land) seeks to protect industrial land of State significance. Relevant strategies include:
  - Protect large areas of industrial land of state significance to ensure availability of land for major industrial development, particularly for industries and storage facilities that require significant threshold distances from sensitive or incompatible uses. Industrial areas of state significance include but are not limited to:*
    - *Dandenong South in the City of Greater Dandenong.*
    - *Campbellfield and Somerton in the City of Hume and Thomastown in the City of Whittlesea.*

- *Laverton North in the City of Wyndham and Derrimut in the City of Brimbank.*

*Protect heavy industrial areas from inappropriate development and maintain adequate buffer distances from sensitive or incompatible uses.*

- Clause 19.03-5 (Waste and Resource Recovery) has the following objective:

*To avoid, minimise and generate less waste to reduce damage to the environment caused by waste, pollution, land degradation and unsustainable waste practices.*

Relevant strategies include:

- *Establish new sites and facilities to safely and sustainably manage all waste and maximise opportunities for resource recovery.*
- *Encourage facilities for resource recovery to maximise the amount of resources recovered.*
- *Provide sufficient waste management and resource recovery facilities to promote re-use, recycling, reprocessing and resource recovery and enable technologies that increase recovery and treatment of resources to produce energy and marketable end products.*
- *Encourage waste generators and resource generators and resource recovery businesses to locate in close proximity to enhance sustainability and economies of scale.*
- *Ensure buffers for waste and resource recovery facilities are defined, protected and maintained.*
- *Site and manage waste disposal and resource recovery facilities in accordance with the Waste Management Policy (Siting, Design and Management of Landfills) (EPA, 2004).*

Under this clause, Planning must consider as relevant:

- *Victoria's Towards Zero Waste Strategy (Department of Sustainability and Environment, 2005).*
- *Waste Management Policy (Siting, Design and Management of Landfills) (Environmental Protection Authority, 2004).*
- *Environment Protection (Industrial Waste Resource) Regulations 2009.*
- *Best Practice Environmental Management Guideline (Siting, Design Operation and Rehabilitation of Landfills) (Environmental Protection Authority, 2001).*
- *Any relevant regional waste management plans.*
- *Metropolitan Waste and Resource Recovery Strategic Plan (Sustainability Victoria, 2009).*
- *Creating Cleaner, Safer Places: Working together to remove litter from Victoria's environment (Sustainability Victoria, 2009).*
- *Environmental Guidelines for Composting and other Organic Recycling Facilities (Environmental Protection Authority, 1996).*

### **3.2 Local Planning Policy Framework (LPPF)**

#### **3.2.1 Relevant provisions from the MSS include:**

- Clause 21.01 (Snapshot of Melton City in 2014) notes that the land between the Eastern Corridor and Melton Township was included within the Urban Growth Boundary in 2010 and is subject to the West Growth Corridor Plan and development of this area will need to be in accordance with PSPs. It notes that the West Growth Corridor Plan identifies:



- *that a majority of the land between Melton Township and the Eastern Corridor will be developed for residential purposes, including the land surrounding the existing township of Rockbank.*
  - *that three employment nodes are to be developed. One in Toolern, one on the Melton Highway, and the other being the expansion of the Western Industrial Node to include the land around the existing Boral Quarry site in Ravenhall.*
  - *land to be retained for the protection of biodiversity and drainage.*
  - *the location of new transport infrastructure including new railway stations, arterial roads and the Outer Metropolitan Ring to service the needs of an increased population.*
- Clause 21.01-5 (Employment Characteristics) notes that only 16,139 jobs are provided in Melton, which only equates to a Job Provision Ratio of 0.3 jobs per employed resident.
  - Clause 21.01-6 (Melton's Economic Base) states that the major existing employment areas within the municipality include:
    - 250ha industrial precinct at corner of Robinsons Road and Boundary Road, in Truganina
    - 360ha industrial precinct between the Western Freeway and Melton / Ballarat railway line in Ravenhall
    - 70ha commercial precinct on Robinsons Road south of the railway line in Ravenhall
    - Metropolitan Remand Centre, Dame Phyllis Frost Correction centre and new correction facility
    - 1100ha Boral Quarry site, bounded by railway line to the north, Hopkins Road and Christies Road.

It notes that additional employment areas are identified in the West Growth Corridor Plan, including the expansion of the Western Industrial Node and on the Melton Highway.

- Clause 21.01-7 (Residential Development) notes that land within the Urban Growth Zone will be the next major population growth locations within the municipality and that these areas are guided by PSPs.
- Clause 21.03 (Planning Visions and Objectives for Melton) contains the following overarching vision for the City to the year 2015:
 

*The Council believes that urban development within the City will occur within the Urban Growth Boundary and will be supported by small villages (with constrained boundaries) all of which are surrounded and supported by non-urban land which fulfills a variety of agricultural, environmental, visual and tourist functions which Council is invigorating through innovative practices and environmental incentives.*
- Clause 21.03-2 contains the following relevant objectives:
  - *To create sustainable and livable communities that are attractive and desirable places in which to live.*
  - *To protect and conserve the environmental resources and assets of the City for the benefit of current and future communities.*
  - *To ensure that infrastructure is designed and provided in an efficient and timely manner and the development of urban areas reflect sound planning principles and practices.*
  - *To create an environment conducive to economic growth and wealth generation.*
  - *To encourage the growth and development of vibrant and dynamic retail centres.*
  - *To develop an efficient and integrated transport infrastructure that allows people choice about how they move within and through the City.*



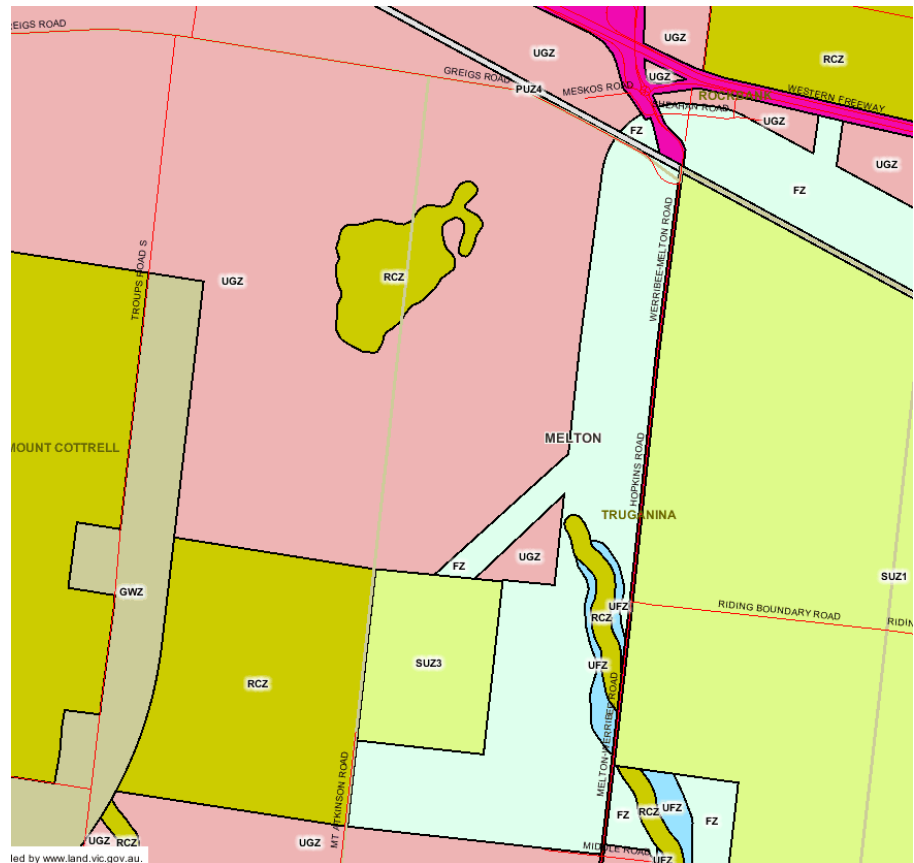
### 3.3 Current Zones / Overlays

3.3.1 Land within the precinct comprises the following zones:

- Farming Zone (Clause 35.07)
- Urban Floodway Zone (Clause 37.03)
- Urban Growth Zone (Clause 37.07)
- Rural Conservation Zone (Clause 35.06)
- Special Use Zone, Schedule 3 (Clause 37.01) – Terminal Stations

**Figure 6**

Zoning Map



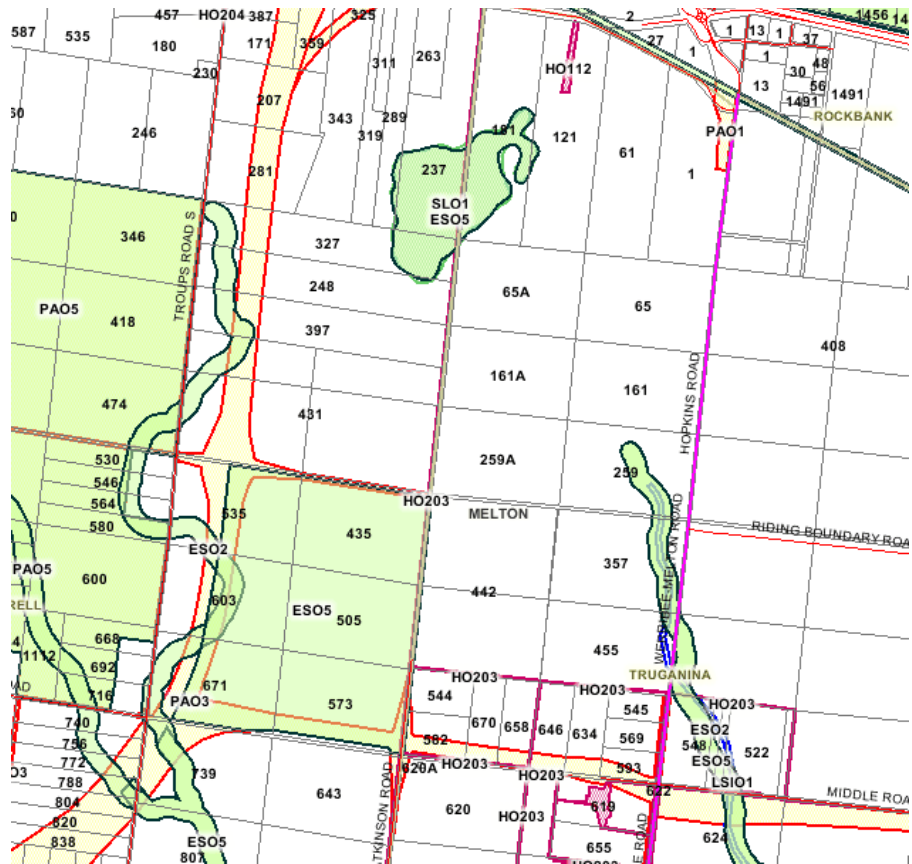
Source: [www.land.vic.gov.au](http://www.land.vic.gov.au)

3.3.2 The precinct is currently affected by the following overlays:

- Significant Landscape Overlay, Schedule 1 (Clause 42.03) – Volcanic Hills and Cones
- Environmental Significance Overlay, Schedules 1 (Remnant Woodlands, Open Forests and Grasslands), 2 (Wetlands, Waterways and Riparian Strips) and 5 (Rural Conservation Area) – Clause 42.01
- Public Acquisition Overlay, Schedules 1 (VicRoads – road), 3 (Roads Corporation – Outer Metropolitan Ring / E6 Transport Corridor) and 6 (Director of Public Transport – Outer Metropolitan Ring / E6 Transport Corridor – Rail Connections) – Clause 45.01
- Heritage Overlay, Schedules 112 (65-543 Greigs Road East – house & outbuilding), 203 (Mount Atkinson Dry Stone Wall Precinct) and 204 (Greigs Road Dry Stone Wall Precinct) – Clause 43.01
- Land Subject to Inundation Overlay, Schedule 1 – Clause 44.04

**Figure 7**

Overlay Map



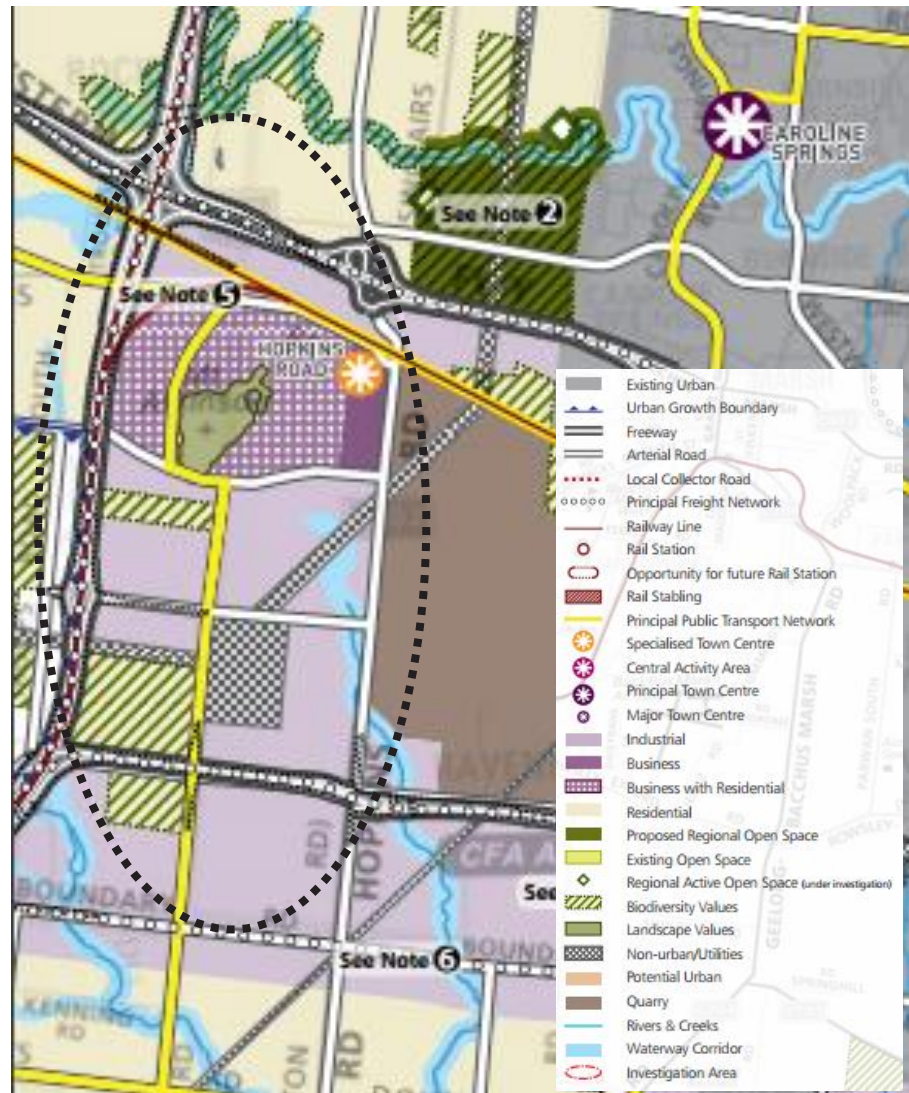
Source: [www.land.vic.gov.au](http://www.land.vic.gov.au)

### 3.4 West Growth Corridor Plan

- 3.4.1 This document notes that Melbourne's western region is one of the fastest growing in Australia. It identifies that while the region has a strong manufacturing and logistics base, communities are heavily reliant on the Melbourne CBD and inner west for jobs and services. It seeks to create greater local self-containment, job and housing diversity and improved transport links.
- 3.4.2 Insofar as the precinct is concerned, it is proposed to accommodate:
- A specialised town centre;
  - Business and residential uses in the northern portion of the precinct;
  - Business uses within the buffer area in the northeast corner of the precinct;
  - Industrial uses typically to the southern portion of the precinct; and
  - Utilities (transmission area).

**Figure 8**

West Growth Corridor Plan



### 3.5 Other Relevant Strategic Initiatives

#### 3.5.1 Other documents which I have had regard include:

- Mt Atkinson and Tarneit Plains Precinct Structure Plan Background Report (April 2016)
- Statewide Waste and Resource Recovery Infrastructure Plan Victoria 2015-2044 (2015)
- Metropolitan Waste and Resource Recovery Strategy Plan (Sustainability Victoria, 2009)
- Recommended Separation Distances for Industrial Residual Air Emissions (EPA Victoria, March 2013)
- Assessing Planning Proposals Near Landfills – Draft Guideline (EPA Victoria, June 2016)

## 4 Amendment C162:

### 4.1 What is proposed

- 4.1.1 Amendment C162 seeks to enable the development of land within the precinct in accordance with the Mt Atkinson & Tarneit Plains Precinct Structure Plan, April 2016.
- 4.1.2 This will be achieved through the rezoning of the majority of land within the precinct to the Urban Growth Zone, Schedule 9. The UGZ9 will enable residential, industrial and commercial uses in accordance with the PSP.

**Figure 9**

PSP





#### 4.1.3 Other components of the amendment include:

- Rezoning parts of land with recognised conservation values to the Rural Conservation Zone.
- Inserting Schedule 11 to the Special Use Zone and rezone land associated with transmission lines to the SUZ11 (which will link with existing land within the Truganina Terminal Station – SUZ3).
- Inserting Schedule 5 into the Incorporated Plan Overlay and apply it to land within the RCZ.
- Deleting ESO2 and ESO5 from land within the precinct.
- Deleting PAO6 from land within the precinct.
- Inserting a new Schedule 6 to Environmental Significance Overlay and apply it to land within the RCZ.
- Applying the Environmental Audit Overlay to two existing service stations.
- Inserting Schedule 9 to the Development Contributions Plan Overlay and apply it to all land within the precinct.
- Amending the schedule to Clause 52.01 to include a public open space contribution for subdivision of land within the precinct.
- Amending the schedule to Clause 52.17 to include the precinct as a scheduled area.
- Amending the schedule to Clause 66.04 to require referrals for nominated applications. These include:
  - Referral to the Growth Areas Authority<sup>4</sup> for subdivision and construction of buildings and works in the town centre and commercial areas where the value of a building or works is in excess of \$500,000.
  - Referral to the Secretary for the Department administering the Mineral Resources for an application for subdivision and construction of buildings or works within the ‘Quarry Sensitive Use Buffer’ shown in the PSP.
- Amending the schedule to Clause 66.06 to require notice to the gas transmission pipeline owner and operator for an application to use land for sensitive uses within the ‘gas pipeline measurement length’.
- Amending the schedule to Clause 81.01 to include one new incorporated document titled ‘Mt Atkinson and Tarneit Plains Precinct Structure Plan, March 2016’.

#### **Mount Atkinson Holdings land**

#### 4.1.4 In relation to land owned by Mount Atkinson Holdings Pty Ltd, I note that it is proposed to be used for a range of uses, with non-sensitive uses along the eastern boundary (within the buffer distance from the Boral Quarry). Uses include:

- Business / large format retail
- Specialised town centre
- Mixed use
- Government and non-government schools
- Business
- Residential
- Industrial
- Light industrial

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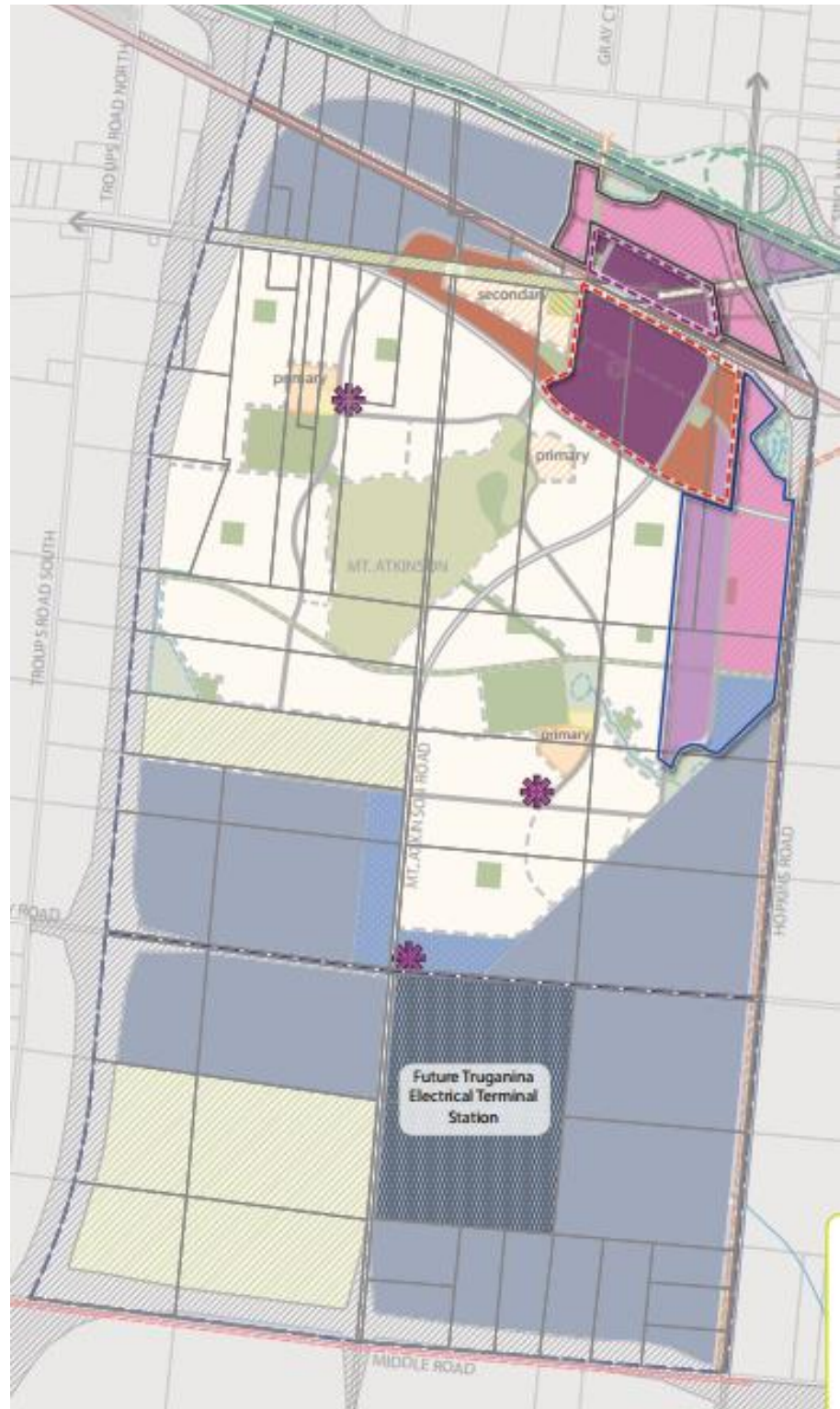
<sup>4</sup> Now Victorian Planning Authority

- Local convenience centres
- Open space
- Light industrial

4.1.5 Various road connections are shown indicatively, along with road widenings.

**Figure 10**

Employment & Town Centres





### 5.1 Introduction / Overview

- 5.1.1 My role in this matter is to review the proposed Amendment with respect to my town planning expertise, with particular reference to land owned by Mount Atkinson Holdings Pty Ltd.
- 5.1.2 I defer to separate expert evidence in addressing technical matters relating to traffic, noise and odour / landfill gas migration.

### 5.2 General Commentary on Amendment C162

- 5.2.1 In a general sense I support the initiative that has been undertaken by the MPA<sup>5</sup> in association with the City of Melton and other government agencies.
- 5.2.2 Amendment C162 seeks to enable the transformation of a historic agricultural area that is centrally positioned in the Melton corridor into a vital employment hub and residential precinct in the heart of the West Growth Corridor.
- 5.2.3 This will be achieved through a series of rezonings and other planning scheme amendments which reference and seek to implement the 'Mt Atkinson & Tarneit Plains Precinct Structure Plan'. The main zone that is relevant to my consideration is the Urban Growth Zone, Schedule 9 ('Mt. Atkinson and Tarneit Plains Precinct Structure Plan').
- 5.2.4 The overarching strategic document for the West Growth Corridor is 'The West Growth Corridor Plan' (2012). In a broad sense I believe the proposed Amendment is generally in accordance with the main strategic directives contained in this document. The main difference is the introduction of a new and distinct residential precinct with associated 'community hubs' based around the Mount Atkinson volcanic cone, that is separate from (and in addition to) potential residential development in the nominated specialised town centre. I understand and support the strategic justification for this, and understand the size of the residential community will achieve a self-contained neighbourhood; lend support to the surrounding employment areas, and enable support for local level facilities such as schools.
- 5.2.5 Significantly, the proposed Amendment will facilitate substantial service and employment opportunities to a rapidly growing region, enabling greater local job self-containment. I understand over 18,000 FTE jobs are expected to be created in the longer term in the industrial and commercial sectors, contributing to, and complementing, the State significance of the Western Industrial Node.
- 5.2.6 When balancing sometimes conflicting land use issues, in my opinion it is significant that one of the underlying strategic aspirations for this locale is to create a vital employment hub within the West Growth Corridor, and Amendment C162 seeks to facilitate this.
- 5.2.7 The introduction of zonings that enable sensitive land uses creates challenges with respect to existing and proposed buffer generating uses. In addition to managing the interface between proposed residential and commercial / industrial areas within the PSP area, there is also a need to respond to other potential site constraints that may impact on residential amenity and safety in general. These include existing and proposed transport infrastructure, as well as existing and proposed industries external to the PSP area. I will address this further below.

---

<sup>5</sup> Now VPA

## 5.3 Specific Issues

### Proposed Future Urban Structure

- 5.3.1 In a broad sense the general configuration of the PSP aligns with that contemplated under the West Growth Corridor Plan, and responds to the constraints and opportunities presented by the precinct. Specifically:
- Retail and mixed-use employment uses are concentrated at the northern end of the precinct ('specialised town centre'), taking advantage of the railway line and access to the Western Freeway.
  - Other 'local convenience centres' are proposed to the south, to serve the proposed residential and employment areas.
  - As discussed, a new residential precinct with associated activity nodes is proposed to the south of this, but sufficiently separate from Hopkins Road and the proposed industrial areas to ensure no unreasonable amenity impacts.
  - Mt Atkinson will be the central feature of the precinct, to be protected by appropriate zone and overlay controls.
  - Business / employment and industrial uses are proposed along (inter alia) the eastern edge of the precinct in response to the buffer constraints of the existing and proposed activities to the east.
  - A large industrial precinct is proposed to the south of the precinct, which will complement the state significant Western Industrial Node which stretches south-east from the PSP area, and future Western Interstate Freight Terminal.
  - Specific efforts appear to have been made to respond to valued ecological, landscape and heritage features.
  - I defer to separate traffic evidence in demonstrating that the proposed road network will appropriately service the precinct and provide suitable connectivity to existing and proposed major roads and the communities beyond.
  - Specific reference is made to the location and protection of significant infrastructure, including powerlines and high pressure gas pipelines.
  - A network of open space areas is proposed to link activity nodes and protect significant natural features.
  - A future Infrastructure Contributions Plan is intended to be prepared and incorporated into the planning scheme, and will detail the apportionment of costs associated with the provision of required infrastructure projects identified in the proposed PSP.
- 5.3.2 It follows, that in a broad sense, I believe the general configuration of the PSP is appropriate and site responsive. Its structure and content also accords with the Precinct Structure Plan Guidelines (GAA, 2008).
- 5.3.3 It is my expectation that, as UDF's are progressively approved and implemented, the PSP area will develop into a comprehensively planned community that celebrates the local heritage, landscape and environmental values of the area whilst delivering a variety of housing, employment and community facilities / opportunities.
- 5.3.4 However, as with any PSP, there are more detailed considerations which warrant further examination.
- 5.3.5 Insofar as relevant to my expertise and the land that I have been asked to review, I now discuss more detailed considerations arising from the proposed Amendment.

## Buffer Issues

- 5.3.6 Insofar as relevant to the land that I have been asked to review, the most relevant issue with respect to buffers is the interface to the eastern boundary of the site and the existing / proposed activities on the opposite side of Hopkins Road.
- 5.3.7 I note that 'West Growth Corridor Plan' identified the land to the east a 'quarry' and 'constrained land'. It noted the future use and development of the Hopkins Road Business Precinct would need to respond to the interface with (inter alia) the existing quarry to the east of the precinct to ensure uses do not impact adversely on the future operations of the quarry. It concludes that:
- Approved and operational quarries<sup>6</sup> are protected in the Plan through the placement of industrial or commercial development adjacent to them and, on this basis, the precincts could be rezoned from Farming Zone to Urban Growth Zone.
  - Any buildings within 200m of the title boundary of quarries would be subject to a risk assessment at the PSP stage to ensure the impact of rock blasting is acceptable.
  - The Plan ensures that approved and operational landfills referred to in the Metropolitan Waste and Resource Recovery Strategic Plan<sup>7</sup> are protected from encroachment by sensitive uses.
  - Any development within 500m of the putrescible land fill sites at (inter alia) Deer Park will be subject to an environmental audit to ensure that any landfill gas migration is mitigated.
- 5.3.1 The 'Mt Atkinson & Tarneit Plains PSP Background Report' (April 2016) also makes various references to the land on the eastern side of Hopkins Road, as follows:
- The Regional Context Plan refers to it as part of a 'State significant industrial precinct – future'.
  - With respect to 'surrounding land uses' it states:
    - o *State Significant Quarry: The Deer Park Quarry is an existing hard rock aggregate quarry located across Hopkins Road. It is expected that the quarry has a life span of over 60 years. Design of the PSP and appropriate planning controls have responded to the existing blast and sensitive use buffers.*
    - o *Potential Melbourne Regional Landfill (Waste and Resource Recovery Hub of State Importance): The Melbourne Regional landfill site is located across Hopkins Road and has been in operation since the late 1990s. The existing landfill does not currently have any impact on the PSP. The potential future Melbourne Regional landfill expansion is not anticipated to impact on the development of the PSP. The applied zoning and Schedule 9 to the UGZ responds to the potential for adverse amenity from odour from any expanded future landfill by establishing a distance of at least 500m from residential uses to the landfill site. This is expected to be complemented by a 500m distance containing no putrescible fill within the landfill site itself to ensure 1km is established between the landfill and residential uses. Further, a planning permit is required for uses pursuant to Provision 52.10 (Uses with*

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<sup>6</sup> Including Boral's Deer Park quarry

<sup>7</sup> Presumably the existing 2009 version of this document

- Adverse Amenity potential) within the applied commercial 2, industrial 1 and industrial 3 zone as per Schedule 9 to the UGZ.*
- *The PSP assumes all landfill gas migration will be retained within the landfill site and that any buffers to mitigate landfill gas migration required by the Best Practice Environmental Management (BPEM) for Siting, Design, Operation and Rehabilitation for Landfills are internalised on the landfill site. Therefore no additional planning controls or referrals have been included in the PSP to mitigate landfill gas migration.*
  - Plan 2 – ‘Precinct Features’ identifies the land to the east of Hopkins Road as ‘Potential Melbourne Regional Landfill (Waste and Resource Recovery Hub of State Importance)’. It also nominates a 200m ‘quarry blast buffer’ and a 500m ‘quarry sensitive uses buffer’<sup>8</sup>.
  - Under the heading ‘Noise and vibration’, it states the PSP is expected to be affected by noise from (inter alia) ‘industrial uses (quarry and existing landfill and possible future landfill)’.
  - Under the heading ‘Surrounding land uses and buffer requirements’, it states that a number of on and off-site land uses require the application of buffer zones or separation distance from sensitive uses. Specifically it states:
    - *Boral quarry - This PSP, and Schedule 9 to the Urban Growth Zone (UGZ), have responded to the existing quarry buffers established to protect the operation of the 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 Rd 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.*
    - *Melbourne Regional Landfill - The potential future Melbourne Regional landfill expansion is not anticipated to impact on the development of the PSP. The applied zoning and Schedule 9 to the UGZ responds to the potential for adverse amenity from odour from any expanded future landfill by establishing a distance of at least 500m from residential uses to the landfill site. This is expected to be complemented by a 500m distance containing no putrescible fill within the landfill site itself to ensure 1km is established between the landfill and residential uses. Further, a planning permit is required for uses pursuant to Provision 52.10 (Uses with Adverse Amenity potential) within the applied commercial 2, industrial 1 and industrial 3 zone as per Schedule 9 to the UGZ.*
    - *The PSP assumes all landfill gas migration will be retained within the landfill site and that any buffers to mitigate landfill gas migration required by the Best Practice Environmental Management (BPEM) for Siting, Design, Operation and Rehabilitation for Landfills are internalised on the landfill site.*

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<sup>8</sup> Both buffers are taken from an indicative quarry extraction limit, which appears to be set back 100m from the western boundary of the quarry site).

*Therefore no additional planning controls or referrals have been included in the PSP to mitigate landfill gas migration.*

5.3.2 This has been translated into Amendment C162. Under the 'Mt Atkinson & Tarneit Plains Precinct Structure Plan':

- Plan 1 – 'Regional Context Plan' identifies the Boral land as part of 'a 'State significant industrial precinct – future'.
- Plan 2 – 'Precinct Features' identifies the land to the east of Hopkins Road as 'Potential Melbourne Regional Landfill (Waste and Resource Recovery Hub of State Importance)'. It also nominates a 200m 'quarry blast buffer' and a 500m 'quarry sensitive uses buffer'<sup>9</sup>.
- Plan 3 – 'Future Urban Structure' refers to the land as 'State significant quarry (1084 Ravenhall PSP)' and 'Potential Melbourne Regional Landfill (Waste and Resource Recovery Hub of State Significance'.
- Plan 3 – 'Future Urban Structure' nominates non-sensitive land uses within (approx.) 500m of the eastern precinct boundary (the main land use designations being 'business / large format retail', 'business' and 'industrial').
- Section 2.2 – 'Response to adjoining existing and proposed land uses' states the following:

*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.*

*The potential future Melbourne Regional landfill expansion is not anticipated to impact on the development of the PSP. The applied zoning and Schedule 9 to the UGZ responds to the potential for adverse amenity from odour from any expanded future landfill by establishing a distance of at least 500m from residential uses to the landfill site. This is expected to be complemented by setting back putrescible fill 500m from the landfill property boundary to ensure 1km is established between the landfill and residential uses. Further, a planning permit is required for uses pursuant to Provision 52.10 (Uses with Adverse Amenity potential) within the business, business/large format retail, industrial and light industrial land.*

*The PSP assumes all landfill gas migration will be retained within the landfill site and that any buffers to mitigate landfill gas migration required by the Best Practice Environmental Management (BPEM) for Siting, Design, Operation and Rehabilitation for Landfills are internalised on the landfill site.*

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<sup>9</sup> Both buffers are taken from an indicative quarry extraction limit, which appears to be set back 100m from the western boundary of the quarry site).



*Therefore no additional planning controls or referrals have been included in the PSP to mitigate landfill gas migration.*

- At Section 2.3, Objectives 010 and 011 state:

*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.*

*Ensure that the PSP responds to the potential for adverse amenity from odour from any potential future landfill expansion on adjoining land by enabling a separation of residential uses 1km from the proposed landfill and ensuring appropriate employment land uses within the business, business/large format retail and industrial land.*

- At Section 3.2.3 – ‘Employment Areas’, R37 includes the following requirements for a future UDF (inter alia):

*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).*

5.3.3 Under proposed UGZ9:

- The ‘applied zones’ within (approx.) 500m of the eastern precinct boundary are the Commercial 2 Zone and the Industrial 1 Zone.
- Table 2 to Clause 2.4 (‘Specific Provision – Use of Land’) states that the use of land for Child care centre, Pre school, Education centre, Motel and Hotel on land shown within the Quarry Sensitive Use Buffer on Plan 2 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan is prohibited.
- Clause 2.10 (‘Specific Provision – Referral of applications – Ravenhall Quarry’) states that an application to subdivide land, construct a building and/or construct or carry out works on land identified within the ‘Quarry Sensitive Use Buffer’ shown on Plan 2 of the Mt Atkinson & Tarneit Plains Precinct Structure Plan must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990*.

5.3.4 I also acknowledge that:

- Plan Melbourne identifies the Boral land as being part of a future industrial area of State significance.
- There are various references in the planning scheme (as previously detailed) which seek to ensure buffers for extractive industries and waste and resource recovery facilities are defined, protected and maintained.
- The ‘Draft Metropolitan Waste and Resource Recovery Implementation Plan’ identifies the ‘Deer Park precinct (including Boral Quarry TPI Melbourne Regional Landfill Ravenhall)’ as being a ‘waste and resource recovery hub’ of State significance. It identifies the challenges posed by the PSP process and the potential risks to the facility if strategic planning does not provide sufficient buffers.
- The ‘Statewide Waste and Resource Recovery Infrastructure Plan – Victoria 2015-44’ also identifies the ‘Deer Park Precinct TPI Landfill and Boral Quarry’ as being an existing hub of State significance, and also identifies the need to provide appropriate buffers to the facility.

5.3.5 In my opinion the various safeguards proposed as part of Amendment C162 have reasonably responded to the existing site constraint on the



opposite side of Hopkins Road, being the Boral quarry with its associated activities. By limiting the potential for sensitive land uses to establish within the recommended EPA buffers from same will ensure the future development in the PSP area will not prejudice the ongoing activities of the approved Boral extractive industry activities<sup>10</sup>.

- 5.3.6 As I understand it, the more controversial aspect of the PSP is the assumption that all landfill gas migration will be retained within the landfill site and that any buffers to mitigate landfill gas migration required by the Best Practice Environmental Management (BPEM) for Siting, Design, Operation and Rehabilitation for Landfills will be internalised on the landfill site.
- 5.3.7 I am not an expert on landfill gas migration. However, unlike odour and dust impacts, I understand landfill gas migration can potentially prevent or complicate<sup>11</sup> any future development (not just sensitive land uses) within the nominated buffer areas<sup>12</sup>.
- 5.3.8 I am advised that an application has been lodged for a putrescible landfill on the Boral land to the east<sup>13</sup>, which may come as close as 100m to the western boundary of that land. At this setback (ie - <500m) this has potential implications on the future use and development of land in the PSP area proximate to the proposed landfill site. I understand a separate Panel process will consider the merits of this application.
- 5.3.9 In a general sense I acknowledge the importance of waste disposal to a growing metropolis, and the difficulties in sometime securing appropriate sites that can accept and responsibly dispose of waste for urban regions in accessible locations. I also acknowledge extractive industry sites are commonly used for landfill purposes, and are one way of rehabilitating same.
- 5.3.10 However, in responding to whether proposed Amendment C162 has appropriately responded to the issues of potential future landfill gas migration on the Boral land to the east I make the following observations:
- Issues such as this invariably require a balancing of sometimes competing policy objectives.
  - Whilst it may be true that the Melbourne Regional Landfill on the Ravenhall land, and its possible extension, is of State significance, it is similarly the case that the PSP is part of an industrial area of State significance, and that the facilitation of a substantial service and employment hub is seen as being vital to the service and employment aspirations of the West Growth Corridor.
  - Regardless of the land use outcomes in the PSP areas on the western side of Hopkins Road, it seems inevitable that Hopkins Road will need to be upgraded and will become an important north-south arterial road for the region. Consideration therefore also needs to be given

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<sup>10</sup> I deal separately below with the requirement to refer applications in the quarry buffer areas to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990*

<sup>11</sup> Meaning requiring specific, or different, design techniques than might otherwise be the case

<sup>12</sup> For health and safety reasons

<sup>13</sup> As I understand it, the existing Melbourne Regional Landfill on the Ravenhall Land is proposed to be extended onto the Boral land, and seeks to utilise the airspace created by Boral extractive industry activities.

to the safety and amenity of this roadway when making land use decisions on the Boral land.

- Similarly, other key local access streets, open space links and off-road share paths are also proposed within the quarry buffer zones. The safety and amenity of these features would also need to be considered when making future land use decisions for the Boral land<sup>14</sup>.
- Land in the SUZ1 has an approximate area of 11sqkm with an east-west dimension of approximately 3,000m. An assumed landfill buffer of 500m is not inconsequential in order to internalise buffers for landfill gas migration on the Boral land<sup>15</sup>. However, given the overall size and dimension of the Boral site a set back of this order (if required to internalise buffers for landfill gas migration) does not seem unreasonable or of such an order as to unreasonably constrain future landfill activities on the balance of the land<sup>16</sup>. I also note land within the assumed 500m buffer could still be used for the disposal of solid-inert wastes.
- I note one of the ‘purposes of SUZ1 seeks to *‘encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land’*.

5.3.11 In light of the above analysis, and given the strategic importance of creating a safe and high quality future regional employment hub on the PSP land, I support the approach that Amendment C162 has taken with respect to the issue of landfill gas migration. On balance I do not believe the proposed Amendment will unreasonably compromise the possible future use of parts of the Boral site for a new landfill of State significance.

**Referral of applications to the Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990**

5.3.12 As stated previously, Clause 2.10 (‘Specific Provision – Referral of applications – Ravenhall Quarry’) requires that an application to subdivide land, construct a building and/or construct or carry out works on land identified within the ‘Quarry Sensitive Use Buffer’ shown on Plan 2 of the Mt Atkinson & Tarneit Plains PSP must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990*.

5.3.13 I assume this requirement relates to the potential for future development on the PSP land to compromise the extractive industry activities on the

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<sup>14</sup> I am unaware of whether there are any potential issues with the existing high pressure gas pipeline

<sup>15</sup> If indeed, this is the relevant buffer distance. I am unaware whether other technologies or design techniques can be employed to reduce this buffer, or indeed whether greater buffers might be required.

<sup>16</sup> I estimate 9sqkm of land in the SUZ1 would remain excluding the 500m buffer area to Hopkins Road, but acknowledge other buffer requirements and / or site constraints might substantially reduce the area of land that could potentially be used for landfill purposes. I also acknowledge the proposed sequencing of extraction on the Boral land may have made it desirable to stage future landfill activities proximate to the western boundary of Boral site in the shorter term.

Boral land. I am uncertain whether the requirement relates to fears about impacts from blast vibration and fly-rock, or broader amenity impacts<sup>17</sup>.

- 5.3.14 This is a very onerous requirement for applicants and the relevant government department. Under the proposed 'applied zones' within the buffer areas, all subdivision and most buildings and works will require a planning permit – irrespective of its scale.
- 5.3.15 If the main concern relates to the quarry blast buffer then perhaps the requirement should be limited to this area. Either way, I believe there may be some merit in limiting the types of applications that require referral to the relevant authority to those that are consequential to the types of subdivision and built form outcomes sought to be achieved within the buffer areas.

### **Referral of applications for the Mt Atkinson Specialised Town Centre to the GAA**

- 5.3.16 Clause 2.9 ('Specific provision – Referral of applications for Mt Atkinson Specialised Town Centre') requires that an application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of \$500,000) on land identified as 'Mt Atkinson Specialised Town Centre' ('North' or 'South' Urban Design Framework Extent) on Plan 6 of the Mt Atkinson & Tarneit Plains PSP must be referred in accordance with section 55 of the *Planning and Environment Act 1987* to the Growth Areas Authority<sup>18</sup>.
- 5.3.17 Preceding this I note Clause 2.8 ('Specific provision – Urban Design Framework – Mt Atkinson Specialised Town Centre, Western Freeway Commercial Area and Hopkins Road Business Precinct Commercial Areas') states that, except with the consent of the responsible authority, a permit may not be granted to use or subdivide land, or construct a building and carry out works on land identified as 'Mt Atkinson Specialised Town Centre' ('North' or 'South' Urban Design Framework Extent), 'Western Freeway Commercial Area Urban Design Framework Extent' or 'Hopkins Road Business Precinct Commercial Areas Urban Design Framework Extent' on Plan 6 of the Mt Atkinson & Tarneit Plains Precinct Structure Plan, until an urban design framework for the area has been prepared to the satisfaction of the responsible authority.
- 5.3.18 In my opinion GAA / MPA input would be better served at the UDF stage to provide strategic input at this more formative stage. My recommendation would be that any UDF under Clause 2.8 should be prepared to the satisfaction of the responsible authority and the GAA / MPA.
- 5.3.19 Subsequent planning permit applications must be consistent with any UDF approved under Clause 2.8 of the UGZ9. In my opinion there should be sufficient expertise at the municipal level to ensure appropriate subdivision and built form outcomes that are consistent with any approved UDF.
- 5.3.20 The requirement to refer applications to the GAA / MPA if their value exceeds \$500,000 is quite onerous, notwithstanding that I am certain the authority could provide valuable input.
- 5.3.21 If it is deemed that the GAA / MPA needs to be a determining referral authority for applications in the nominated town centres, perhaps

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<sup>17</sup> Noise, dust etc

<sup>18</sup> Now VPA

consideration increasing the \$ value of the application to ensure only larger developments of centre-wide importance require referral.

#### **Additional convenience hub**

- 5.3.22 It has been suggested that an additional ‘convenience hub’ / ‘local convenience centre’ could be included on the industrial land to the south of the precinct.
- 5.3.23 I have no in-principle objection to this, as it could provide a valuable service to the employment precinct at south / south-east of the centre. However, additional technical and strategic justification would be required to demonstrate its need (including an analysis of impacts on the other proposed ‘local convenience centres’<sup>19</sup>) and in identifying an appropriate site for same.

#### **Whether some concept plans are too detailed**

- 5.3.24 I appreciate the construction of the UGZ is such that applications for subdivision and buildings / works must be ‘generally in accordance’ with the precinct structure plan applying to the land. This implies a degree of flexibility and certainly does not necessitate inflexible replication. The words ‘concept plans’ also suggest a degree of flexibility.
- 5.3.25 That said, it is commonly held that the more detailed a strategic plan is, the greater the expectation that a future proposal should follow its recommendations. On this basis I would support the inclusion of words in the PSP to make it clear that the concept plans are conceptual and indicative, and one way of achieving desired outcomes.

#### **Presentation of buildings to Hopkins Road**

- 5.3.26 At Section 3.2.3 (‘Employment Areas’) of the proposed PSP, Requirement 37 includes the following dot points:
- *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).*
- 5.3.27 It has been queried whether this will result in acceptable urban design outcomes, particularly as the industrial area’s frontage to Hopkins Road is anticipated to provide ‘immediate exposure’ by allowing early development supported by reticulated services.
- 5.3.28 I understand there may be practical and / or amenity reasons for wanting to encourage building entries in the quarry buffer areas to not face the quarry. However, perhaps a more performance based approach could be adopted to enable greater flexibility in this regard and (as a consequence) improved urban design outcomes.

#### **Default / Applied Zones**

- 5.3.29 I understand it has been queried whether the default residential zone should be the Residential Growth Zone. The PSP clearly contemplates the efficient subdivision of land, with average densities of 16.5 dwellings / ha contemplated, and the potential for 25 dwellings / ha in areas

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<sup>19</sup> eg – should it be in addition to, or replace, the existing proposed local convenience centre?

nominated as 'medium density residential' and in the town centres on Plan 5.

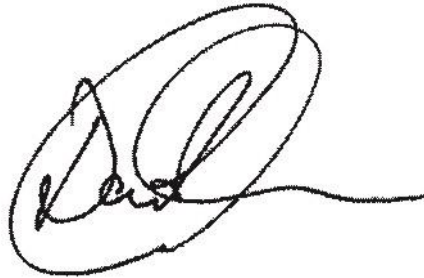
- 5.3.30 I understand it is common practice in the PSP areas to have the RGZ as the default residential zone. That said, the RGZ carries with it expectations of 'increased densities' with development up to (and potentially exceeding) four storeys, where the General Residential Zone contemplates 'moderate housing growth', more domestic building heights and built form outcomes that are 'respectful' of existing character.
- 5.3.31 I am somewhat ambivalent about this, given neither zone prohibits height or dwelling density<sup>20</sup>. However, there may be some merit in limiting the RGZ to the areas nominated for 'medium density housing' around the activity nodes and the GRZ for the balance of the residential land beyond this (noting the PSP provides quite clear directive about the sorts of densities encouraged in all residential areas).

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<sup>20</sup> Which would be a poor outcome.

## 6 Conclusion / Recommendations:

- 6.1.1 There are many positive aspects associated with proposed Amendment C162, and I applaud the MPA and Council in undertaking this important strategic initiative.
- 6.1.2 In a broad sense I believe the general configuration of the PSP is appropriate and site responsive, and accords with the Precinct Structure Plan Guidelines (GAA, 2008).
- 6.1.3 It is my expectation that, as UDF's are progressively approved and implemented, the PSP area will develop into a comprehensively planned community that celebrates the local heritage, landscape and environmental values of the area whilst delivering a variety of housing, employment and community facilities / opportunities.
- 6.1.4 Significantly, the proposed Amendment will facilitate substantial service and employment opportunities to a rapidly growing region, enabling greater local job self-containment.
- 6.1.5 Subject to some recommendations regarding matters of detail which I believe will facilitate the improved and more efficient future implementation of the PSP's recommendations, I support proposed Amendment C162.



David Crowder  
**ratio:**consultants Pty Ltd