

McPherson PSP



Part A Submission – Casey C221

Amendment to the Casey Planning Scheme

October 2017

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1 INTRODUCTION

This submission is made by the Victorian Planning Authority (VPA). The VPA is the planning authority for Amendment C221 to the Casey Planning Scheme.

The Amendment has been prepared by the VPA in collaboration with Casey City Council (Council), landowners, government agencies and other stakeholders.

The VPA has worked extensively with all stakeholders to both resolve issues and improve the amendment where possible.

This submission provides a response to the information outlined to be supplied in the Panel directions dated 13 September 2017.

1.1 Preliminary Issues (raised by Panel Direction)

The Panel Directions outlined a number of matters for the VPA to address in this Part A submission being:

- Background to the Amendment
- Chronology of events
- Strategic context and assessment
- Identification of issues raised in submissions and its response

1.2 Potential Regional Park Status

The Department of Environment, Land, Water and Planning (DELWP) is considering the removal of the potential Regional Park from the McPherson PSP area. The VPA is informed that a decision on this is expected after the Planning Panel hearing.

The potential Regional Park is included in Conservation Area 36 under the *Environmental Protection and Biodiversity Conservation Act 1999* and therefore its removal requires approval by both the Commonwealth of Australia (Commonwealth) and DELWP.

In anticipation that both the Commonwealth and DELWP approve the removal of the potential regional park from the McPherson PSP area, the VPA has prepared a “No Regional Park Future Urban Structure” for the Panel’s and submitter’s consideration. This sits at figure 12.

1.3 Formal response to all submissions

The VPA provided a written response to all submitters between July 2016 and August 2017 and where needed, has discussed the issues raised with submitters.

A table outlining a summary of each submission and status is included at **Appendix 1**.

A table outlining the unresolved submission matters and the VPA’s response is included at **Appendix 2**.

The VPA circulated an updated PSP and table of changes that were incorporated into the updated PSP before the Panel hearing.

Since circulating the updated PSP and ‘No Regional Park Future Urban Structure’, the VPA has identified some further changes in discussion with submitters. A table of these agreed changes to be made to the updated PSP will be provided at the first day of the Panel hearing.

1.4 Whole of Government Position

The position presented by the VPA in this submission represents a whole of government position where possible.

The VPA received submissions from a number of State government agencies and departments, and the following submission represents the agreed position of the following:

- Department of Environment, Land, Water and Planning (Environment)
- Department of Education and Training
- Melbourne Water
- VicRoads
- South East Water

The VPA was formally known as the Growth Areas Authority and Metropolitan Planning Authority.

2 BACKGROUND AND CHRONOLOGY OF THE AMENDMENT

2.1 Background

The Urban Growth Boundary (UGB) designates the long-term limits of urban development and where non-urban values and land uses should prevail in metropolitan Melbourne. The UGB first came into effect in 2002 in conjunction with the release of Melbourne 2030. The metropolitan strategy established a long term plan for land within the UGB, including the intention to review the boundary at an appropriate time in the future.

Melbourne @ 5 million in 2008 identified land for investigation which had the potential to be included within the UGB which included land within the McPherson PSP.

On 6 August 2010, VC68 was gazetted which expanded the UGB, rezoning the land in the Casey, Hume, Melton, Mitchell, Whittlesea and Wyndham Planning Schemes, including the land in the McPherson PSP area. VC68 implemented Melbourne @ 5 million which identified that an additional 600,000 dwellings, including over 284,000 dwellings in growth areas, were needed in Melbourne within a 20 year period.

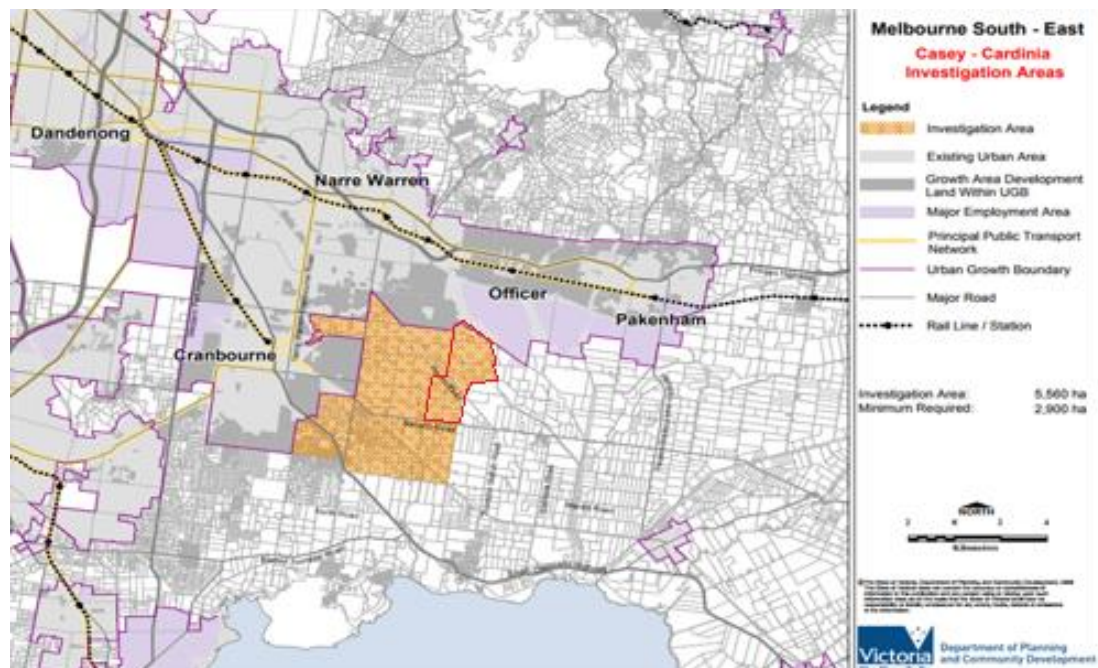


Figure 1 - Investigation area, Melbourne @ 5 million (McPherson shown within the Investigation Area in red)

The McPherson PSP became part of the VPA's work program in 2013-2014 financial year.

2.2 South East Growth Corridor Plan

The Growth Corridor Plans (GCP), produced by the Victorian Planning Authority, were released by the Minister for Planning in June 2012. The GCP are high level integrated land use and transport plans that provide a strategy for the development of Melbourne's growth corridors over the next 30 to 40 years.

These plans guide the delivery of key housing, employment and transport infrastructure and open space in Melbourne's newest metropolitan suburbs.

The GCP identifies:

- The long term pattern of land use and development;
- Committed transport networks as well as network options for investigation;
- Committed regional open space networks as well as investigation sites; and
- Opportunities for creating green corridors.

The GCP informs the development and review of local planning schemes and the preparation of future strategies, structure plans and other planning tools. They also provide a strategic basis for infrastructure and service planning as well as sequencing of land release.

The preparation of PSPs is the primary vehicle for the implementation of the GCP.

The South East Growth Corridor which includes the municipalities of Casey and Cardinia, is expected to accommodate a population of 230,000 people with a capacity to provide 86,000 jobs. The City of Casey is expected to accommodate up to 40,000 lots and 136,000 people across approximately 5,000 hectares of land which includes the land within the McPherson PSP.

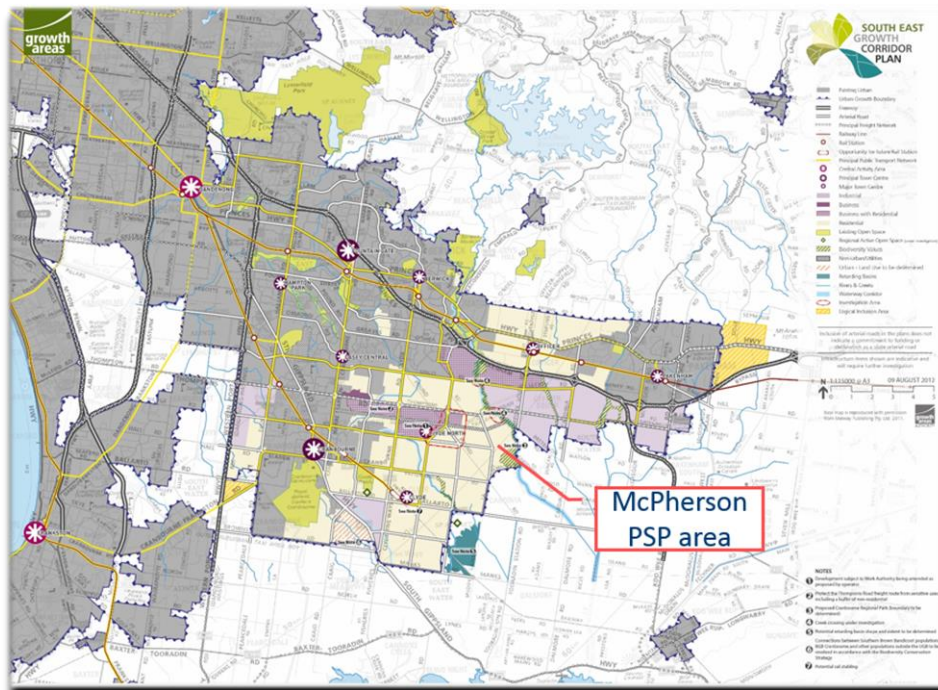


Figure 2 - South East Growth Corridor Plan 2014

2.3 Chronology of Amendment

The following provides a timeline for the development of the PSP and amendment C221 to the Casey Planning Scheme.

- **2012:** Informal sub-corridor planning as part of work for Thompsons Road and Clyde PSP, reviewing likely positioning of schools, community facilities, sports reserves and linkages.
- **March 2014:** VPA undertook informal consultation with relevant stakeholders and agencies consultation and commenced background studies.
- **2 June 2016 to 4 July 2016:** VPA formally exhibited Amendment C221 to the Casey Planning Scheme.
- **July 2016 to August 2017:** VPA worked through submissions to resolve issues where possible.
- **July 2017:** The VPA requested a Planning Panel and to refer submissions (resolved and unresolved) to Planning Panels Victoria.
- **September 2017:** Panel direction hearing was held
- **September 2017:** The VPA circulated updated PSP, no regional park FUS, and updated planning scheme ordinance to submitters and affected landowners.
- **October 2017:** Planning Panel hearing

2.4 Consultation and Exhibition

Consultation was ongoing during the preparation of the PSP and has been ongoing since exhibition, this has enabled the VPA to resolve the majority of issues and submissions.

In May 2014 a newsletter was sent to land owners advising of the commencement of background studies for the McPherson PSP. A land owner meeting was held at Clyde Hall on 29 May 2014.

A newsletter was circulated in February 2015 providing information on the Draft FUS. An information session was held on 26 February 2015 to discuss the Draft FUS.

Over 20 working group meetings occurred with landowners and other relevant stakeholder since this first landowner meeting in May 2014.

Following the informal consultation period with relevant stakeholders and agencies in 2014, the VPA progressed the Amendment to formal public exhibition pursuant to Section 19 *Planning and Environment Act 1987* (the Act). Amendment C221 was formally exhibited between 2 June 2016 and 4 July 2016.

Public exhibition enabled Council, the landowners, State and Federal Government agencies, Prescribed Ministers, other stakeholders and the general public to consider the PSP and Amendment documentation.

A total of **26 submissions** have been received, including seven late submissions. **Twenty one submissions sought changes** to the amendment and the VPA worked to resolve these submissions where possible, and where they would not undermine the strategic objectives of the amendment.

The VPA endeavoured to resolve as many of the submissions as possible prior to requesting a Panel hearing, however there are currently 6 written submissions which have not been resolved, and a further 3 submissions of which the written submissions have been resolved and will be presented at the hearing (Balcon Pty Ltd, Catholic Education Office, Peter Tisdale).

The VPA provided all submissions (resolved and unresolved) to Panel prior to the Directions Hearing.

3 STRATEGIC CONTEXT AND ASSESSMENT

3.1 State Planning Policy Framework

The State Planning Policy Framework (SPPF) ensures that the objectives of Section 4 of the Act are implemented through appropriate land use development by addressing environmental, social and economic factors to achieve sustainable development.

The explanatory report accompanying the Amendment outlines how the Amendment considers the State planning policies, local planning policies and Ministerial Directions relevant to the Amendment.

3.2 Plan Melbourne 2017 - 2050

Plan Melbourne 2017 - 2050, an adopted government policy document released by the Victorian Government in March 2017, outlines the provision of necessary infrastructure and support for development proposed by the South East Growth Corridor Plan as part of its depiction of Melbourne's Southern subregion.

3.3 Ministerial Directions

The Amendment complies with the applicable Ministerial Directions as outlined in the explanatory report. More broadly, the Amendment complies with the following Ministerial Directions relating to the preparation of an amendment within the urban growth areas including:

Ministerial Direction 11, Strategic Assessment of Amendments

The Amendment has been strategically assessed in accordance with the assessment criteria set out in Ministerial Direction 11. The Amendment will implement the objectives of planning in Victoria by providing for the fair, orderly, economic and sustainable use of land identified for urban purposes.

The Amendment has addressed environmental effects, as the pattern of land use and development was guided by studies of the area relating to flora and fauna, flooding and drainage.

The Amendment has addressed the relevant social and economic effects. It is expected to have a positive social and economic effect through the provision of additional housing and community facilities, as well as the creation of local employment opportunities. The Amendment has considered the relevant social, environmental and economic effects, and the amendment will result in a net community benefit.

Ministerial Direction 12, Urban Growth Areas

This Direction applies to the preparation of any planning scheme amendment that provides for the incorporation of a PSP in the scheme or the introduction of, or changes to, provisions in a schedule to the Urban Growth Zone (UGZ). Therefore, the Direction applies to the Amendment.

The Direction calls for that the Amendment must implement the *Growth Area Corridor Plan* relevant to the land and must be in accordance with applicable *Precinct Structure Plan Guidelines*.

3.4 Background Documents

The Amendment is supported by a number of background reports:

- McPherson Precinct Structure Plan Aboriginal Cultural Heritage Assessment - Desktop and Standard AHMS (May 2016)
- Addendum to Targeted Aboricultural Assessment McPherson PSP 75 McCormacks Rd Elm Tree – Tree Logic (July 2015)
- Environmental Hydrological and Geotechnical Assessment Report - Golders Associates November 2014
- Infrastructure and Servicing Assessment Taylors Stizza July 2015
- Scattered Tree Assessment, Biosis (December 2014)
- Targeted Arboricultural Assessment – Tree Logic (January 2015)
- McPherson PSP Targeted Heritage Review of St Germain, Southside Lodge and Heritage Assessment of 10 Smiths Lane, Ecology and Heritage Partners (November 2015)
- Strategic Transport Modelling Assessment (Ultimate Scenario) – Cardo – August 2015
- Scattered Tree Assessment at 110 Smiths Lane, Clyde North – Ecology and Heritage Partners December 2012
- Stormwater Management Strategy McPherson PSP - Alluvium (March 2016)
- Addendum to Stormwater Management Strategy – No regional Park Scenario – Alluvium (August 2017)
- Addendum to Stormwater Management Strategy – Alluvium (August 2017)

4 PRECINCT STRUCTURE PLAN GUIDELINES AND THE URBAN GROWTH ZONE

On 7 October 2009, the former Minister for Planning released the *Precinct Structure Planning Guidelines*. The Guidelines provide a tool for designing and delivering better quality communities in growth areas. They set out the key objectives of growth area planning and include a step-by-step guide on how to achieve the identified objectives.

The overarching objectives for PSPs as set out in these guidelines are as follows:

- Establish a sense of place and community
- Create greater housing choice diversity and affordable places to live
- Create highly accessible and vibrant activity centres
- Provide local employment and business activity
- Provide better transport choices
- Respond to climate change and increase environmental sustainability
- Deliver accessible, integrated and adaptable community infrastructure.

The UGZ applies to land that has been identified for future urban development within the UGB. The UGZ sits within the suite of zones within the *Victorian Planning Provisions*. It has been specifically designed to implement an incorporated PSP and ensure that future development accords with the approved PSP.

The UGZ includes two parts:

- Part A, which applies to land when no PSP applies
- Part B, which applies to land when a PSP applies.

The UGZ includes zone provisions that seek to provide certainty about the nature of future development, streamline the approval process and ensure that any land use and/or development within a Precinct does not prejudice its future growth.

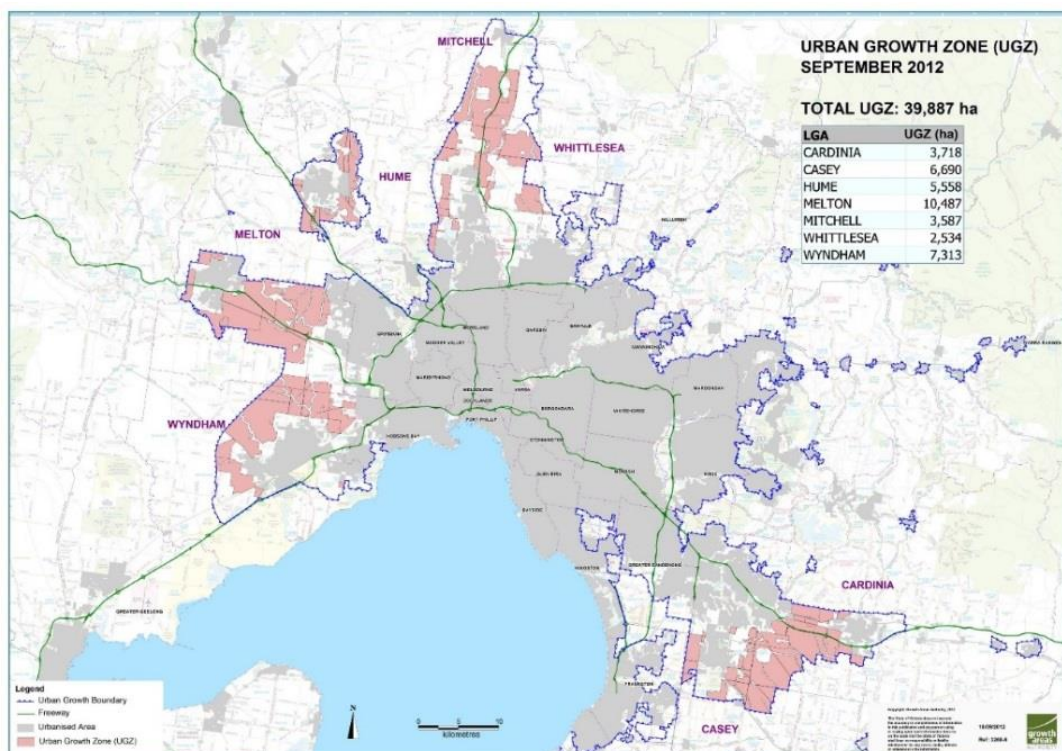


Figure 3 - Urban Growth Zone Areas, VPA (formerly Growth Areas Authority)

A Schedule to the Urban Growth Zone is drafted for each PSP area and can include requirements for land use, buildings and works, application/advertising requirements, decision guidelines and any other conditions/requirements.

The proposed UGZ Schedule 12 has been designed to apply a suite of Victoria Planning Provision zones to guide future use and development of the Precinct through the specification of permit triggers, application requirements, referral and/or notification requirements, and permit conditions so that land use and development within the Precinct is generally in accordance with the PSP.

Schedule 12 to the UGZ is specific to the McPherson Precinct as it includes certain permit triggers and requirements that respond to strategic assessment of the land as identified in the background reporting and planning for the Precinct.

The design of the Schedule 12 to the UGZ promotes consistency in the manner that planning authorities deal with land use issues and ensures that the zone implements the SPPF and LPPF. It has been structured in such a way that the ultimate translation to conventional Victorian Planning Provision zones can occur in a timely and efficient manner once the land has been developed.

4.1 Melbourne's Strategic Assessment and Biodiversity Conservation

In June 2009, the Victorian and Commonwealth governments agreed to undertake a strategic assessment of the Victorian Government's urban development program *Delivering Melbourne's Newest Sustainable Communities*.

The program involves urban development in four growth corridors and in 28 existing urban precincts, as well as the development of a Regional Rail Link Corridor between Werribee and Deer Park and the Outer Metropolitan Ring/E6 Transport Corridor.

The areas included in the program and covered by the MSA are:

- Areas added to the Urban Growth Boundary by planning scheme amendment VC68 (the 2010 Urban Growth Boundary) – this includes the McPherson PSP.
- Areas in the Outer Metropolitan Ring/E6 Transport Corridor and the Regional Rail Link corridor
- Areas in the existing 28 urban precincts within the 2005 Urban Growth Boundary.

The Melbourne Strategic Assessment (MSA) evaluates the impacts of the Victorian Government's urban development program for Melbourne on matters of national environmental significance (MNES) protected under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). It also establishes conservation measures to mitigate these impacts. The MSA required the Victorian Government to make commitments to the Commonwealth Government in relation to conservation outcomes and measures to protect these MNES, which are outlined in *Delivering Melbourne's Newest Sustainable Communities Program Report 1* (the Program Report).

The MSA delivers a single environmental approval for both Victorian and Commonwealth environmental regulation for the first time. The MSA commitments included the preparation of the Biodiversity Conservation Strategy (BCS) which describes the overarching strategy for the protection of biodiversity within Melbourne's growth corridors.

The BCS sets out the detailed conservation measures required for Victoria to satisfy the commitments made to the Commonwealth Government under the MSA and meet State requirements for biodiversity under the Victoria planning schemes.

4.2 Biodiversity Conservation Strategy

The approved Biodiversity Conservation Strategy (BCS) is the overarching strategy for the protection of biodiversity in the growth corridors and finalises the planning for biodiversity under the MSA.

The BCS sets out all the conservation measures required to satisfy the commitments to the Commonwealth Government and to meet state biodiversity requirements.

The purpose of the BCS is to:

- Inform and guide the preparation of the Growth Corridor Plans;
- Outline how the conservation outcomes for MNES in the Program Report will be achieved spatially within the growth corridors and how impact on the matters of national significance will be mitigated;
- Identify land within the growth corridors that is required to be protected due to the sub-regional species strategies and the prescriptions for matters of national environmental significance;
- Identify how areas set aside for conservation purposes will be managed; and
- Identify how mitigation measures will be implemented.

Essentially, the BCS identifies those MNES that must be protected and conserved and those areas that can be removed to enable the urban expansion of Melbourne. On 11 September 2014 the Commonwealth Minister for the Environment approved all actions associated with urban development in the South Eastern Growth Corridor as described in the BCS. The endorsed Program included a commitment by the Victorian Government to prepare a BCS for the four growth corridors, and accompanying sub-regional strategies, including the Sub-regional Species Strategy for the Growling Grass Frog (Victorian Government Department of Environment and Primary Industries, May 2013). Conservation Area 36 is included within the McPherson PSP area as detailed on the below map.

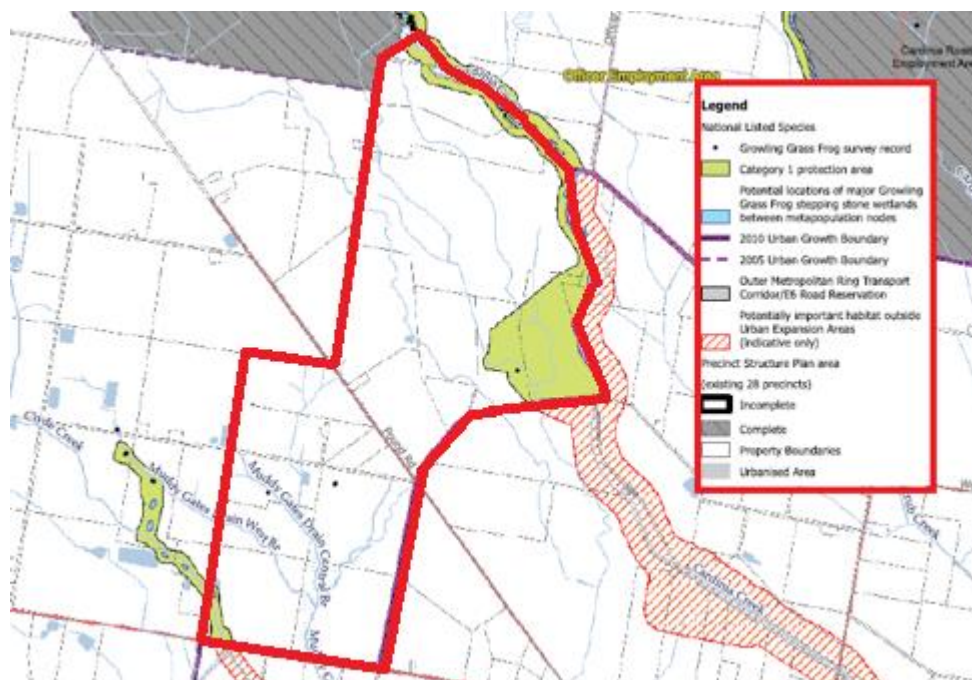


Figure 4 Extract of Conservation Area 36, Sub-regional Species Strategy for the Growling Grass Frog (Victorian Government Department of Environment and Primary Industries, May 2013)

5 LOCAL CONTEXT

Located in Clyde North and Clyde, approximately 48km south-east of Melbourne CBD, the McPherson PSP covers 952 hectares and is bounded by Cardinia Creek to the north and east, Ballarto Road to the south, Smiths Lane and the future Bells Road to the west, and Muddy Gates Lane, and McCormacks road to the east. McPherson PSP is located at the edge of the Urban Growth Boundary (UGB).

The McPherson PSP is largely influenced by the structure of the neighbouring Clyde Creek, Thompsons Road and Clyde North PSPs to the west, including the location of Cardinia Creek along its eastern boundary.

North East of the PSP is the future officer south employment PSP, which will be connected by a future Thompsons Road bridge.

Construction of the neighbouring housing estates within the adjoining PSPs is underway with a number of dwellings being established along with several shopping centres including, The Avenue Village (Clyde North PSP), Shopping on Clyde (Clyde Creek PSP) and Selandra Rise (Clyde Creek PSP).

A description on the status of each of the adjoining PSP's is detailed below:



Figure 5 - Context map

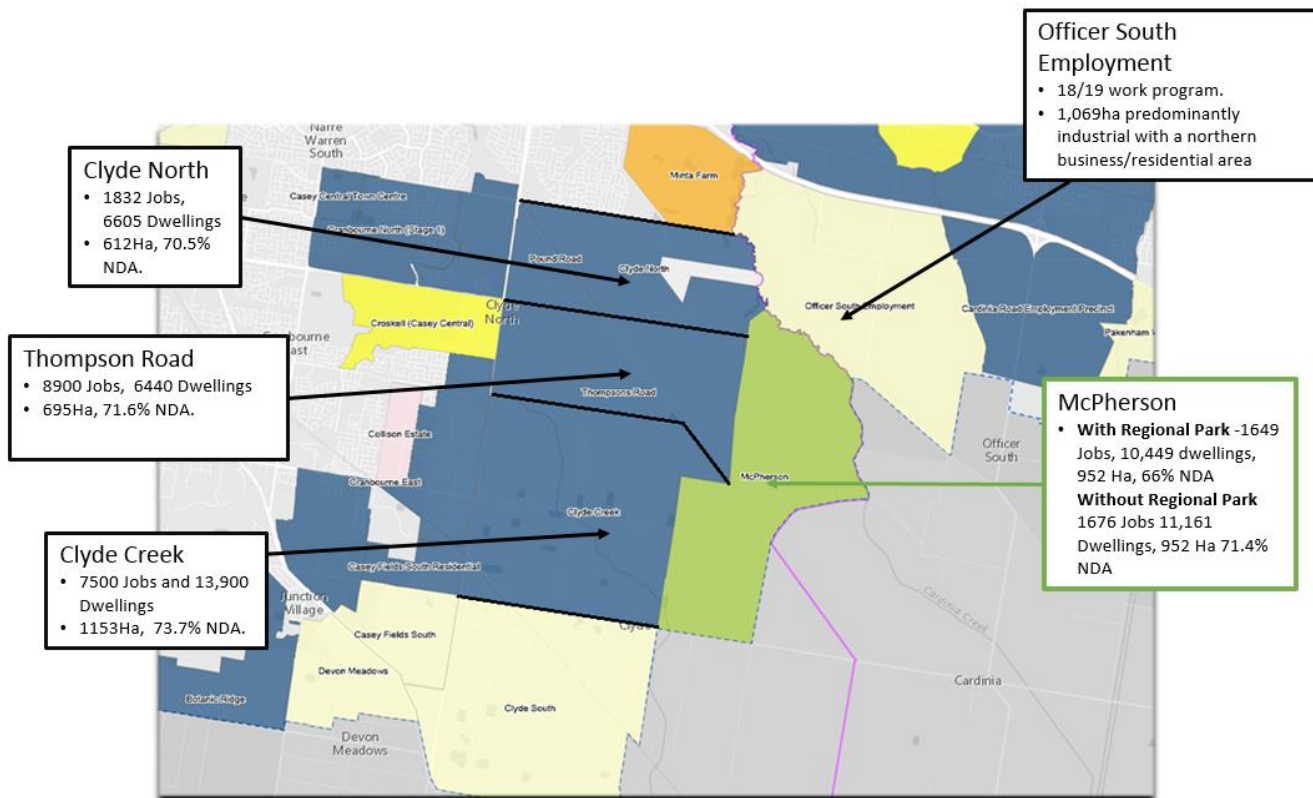


Figure 6 - PSP context map

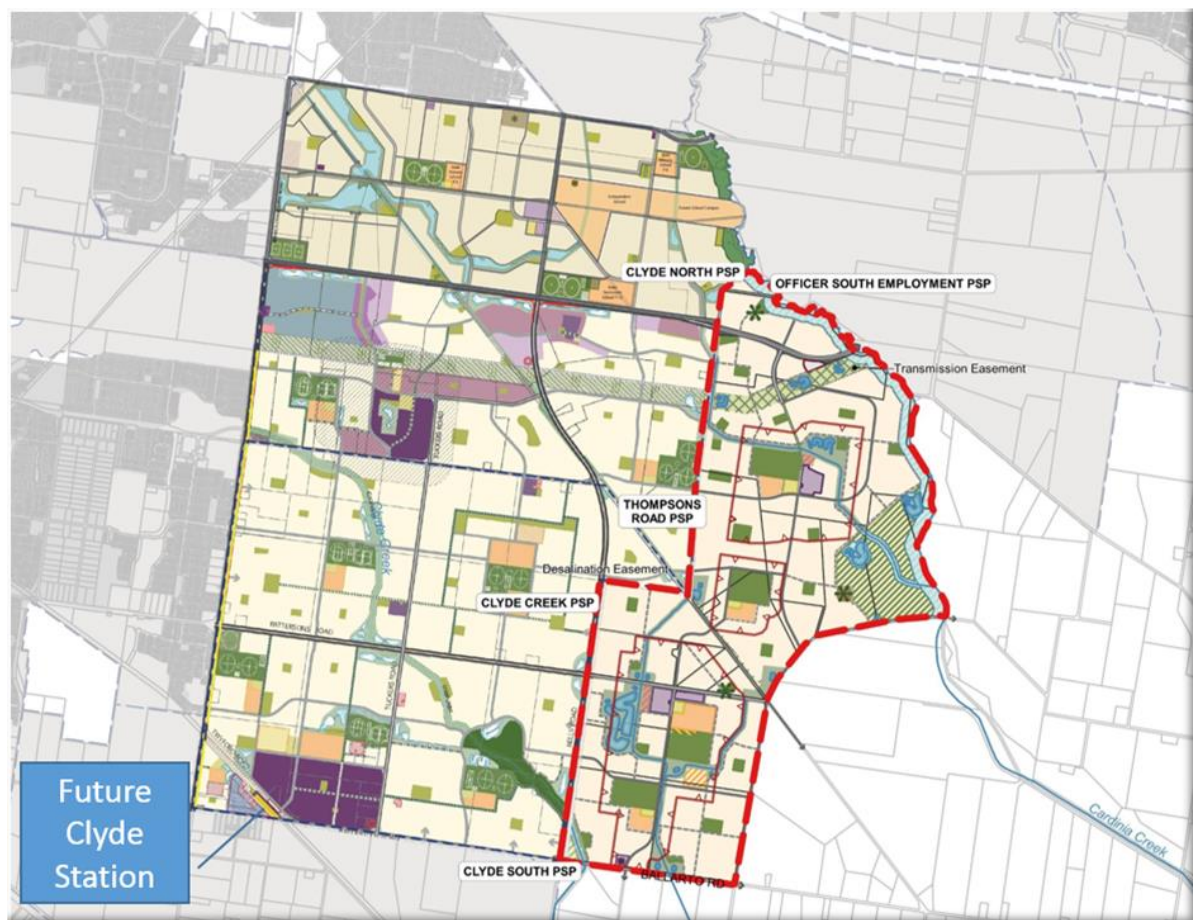


Figure 7 - Future urban structure context map

5.1 Surrounding PSPs

5.1.1 Officer South Employment (North of McPherson PSP)

Status - Not yet commenced. Officer South Employment PSP is 1,069 hectares in area and is identified for predominantly for industrial uses in the GCP with a smaller area of business and residential along the northern side of the precinct.

5.1.2 Clyde North (North West of McPherson PSP)

The Clyde North PSP was approved in November 2011. This Precinct covers a total area of 612Ha, of which 432ha developable land which equates to approximately 70.5% of the Precinct being developable.

The PSP earmarks 6605 dwellings with a density of 15.28 dwellings per Net developable area. The total area of residential NDA is 426Ha and employment NDA is 6 hectares.

5.1.3 Thompson Road (West of McPherson PSP)

Thompsons Road PSP was approved in November 2014. Thompsons Road PSP plans for health and business precinct to support 8,900 jobs and a residential community of about 6,440 new homes with a density of 16 Net developable area.

This Precinct covers a total area of 695 hectares, of which 498 hectares developable land which equates to approximately 71.6% of the Precinct being developable. The total area of residential NDA is 402 hectares and employment NDA is 95 hectares.

5.1.4 Clyde Creek (West of McPherson PSP)

Clyde Creek was approved in November 2014. Clyde Creek PSP sets out the planned development of a mixed use precinct which will ultimately provide 7,500 jobs and 13,900 dwellings, as well as supporting services and infrastructure.

This Precinct covers a total area of 1,153 hectares, of which 850 hectares developable land which equates to approximately 73.7% of the Precinct being developable.

5.1.5 Clyde South (South West of McPherson PSP)

Status - Not yet commenced. Clyde South is 1,099 hectares and is identified for residential land in the GCP.

6 THE MCPHERSON PRECINCT STRUCTURE PLAN

6.1 Role and Function of the Plan

The McPherson PSP is a long-term plan for future urban development of the land. It describes how the land is expected to be developed, and how and where services are planned to support development.

The PSP provides a guide for the delivery of an urban environments that will essentially be a logical extension of the neighbouring PSP's. The PSP and Amendment to facilitate the Plan enables the transition of non-urban land to urban land.

The PSP outlines the projects required to ensure that future residents, visitors and workers within the Precinct are provided with timely access to services and transport necessary to support the future community.

The PSP includes a Precinct Infrastructure Plan (PIP), which details what is to be included within the Infrastructure Contribution Plan and ensures Government agencies, Council, developers, the local communities, and investors have certainty about future development of the Precinct.

The VPA will prepare an Infrastructure Contribution Plan, based on the ICP items that area detailed in the PIP. This will ultimately be submitted ultimately be processed under Section 20(A) of the *Planning and Environment Act 1987* as per the ICP guidelines, as the ICP will not trigger a supplementary levy.

6.2 Vision and Description of the Precinct

The McPherson PSP will deliver a walkable neighbourhood within a riverine environment, characterised by a strong open space trails that link to two local town centres which are supported by sports reserves, schools and community centres.

The FUS for McPherson reflects the residential nature of the precinct, and provides for the protection of biodiversity and heritage values in the area. The prominent landform of the region, Cardinia Creek, forms the pivotal riparian, recreational and environmental corridor in this future urban area.

More compact housing types, home offices, mixed use development will occur around the local town centres (LTC). The LTC will provide daily services and local employment opportunities for the future community of the Precinct and for the surrounding residents. The centres will include compact urban squares creating a social setting for the community. An interconnected network of dedicated cycle lanes and pedestrian pathways will create safe and convenient connections to this centre and will also provide the opportunity for residents to access both internal and external destinations including recreational playing fields, schools and community facilities.

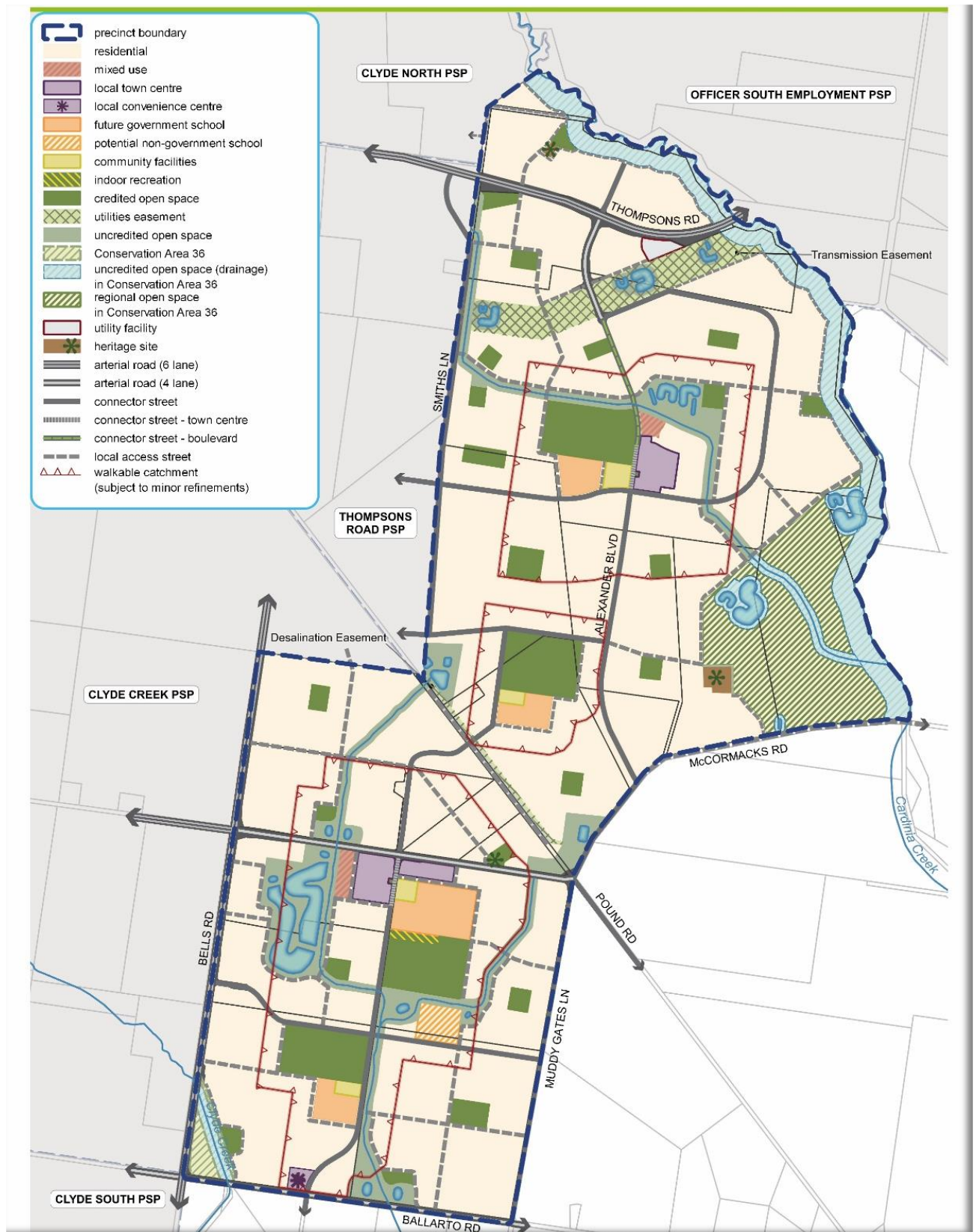


Figure 8- Future urban structure

6.3 Freeway and Arterial Road Network

McPherson PSP area is located between the Princess Freeway and the South Gippsland Highway. Ballarto Road, an arterial road, is located on the southern boundary of the PSP. The PSP plans for a number of arterial roads.

The Precinct Infrastructure Plan within the PSP lists the ultimate land and interim construction of Thompsons Road, to enable a connection through to the Officer South Employment PSP.

The PIP also identifies the ultimate land and interim construction of Bells Road, which is partly funded by the neighbouring Clyde Development Contributions Plan. In addition the ICP will fund the ultimate land and interim construction of Pattersons Road. The ultimate construction of these roads will be VicRoads, when these roads are delivered.

A number of connector roads, which are also bus capable roads, run through the PSP area to provide access to the public transport network. The bus capable roads run adjacent to all the proposed schools, shopping centres and sports reserves.

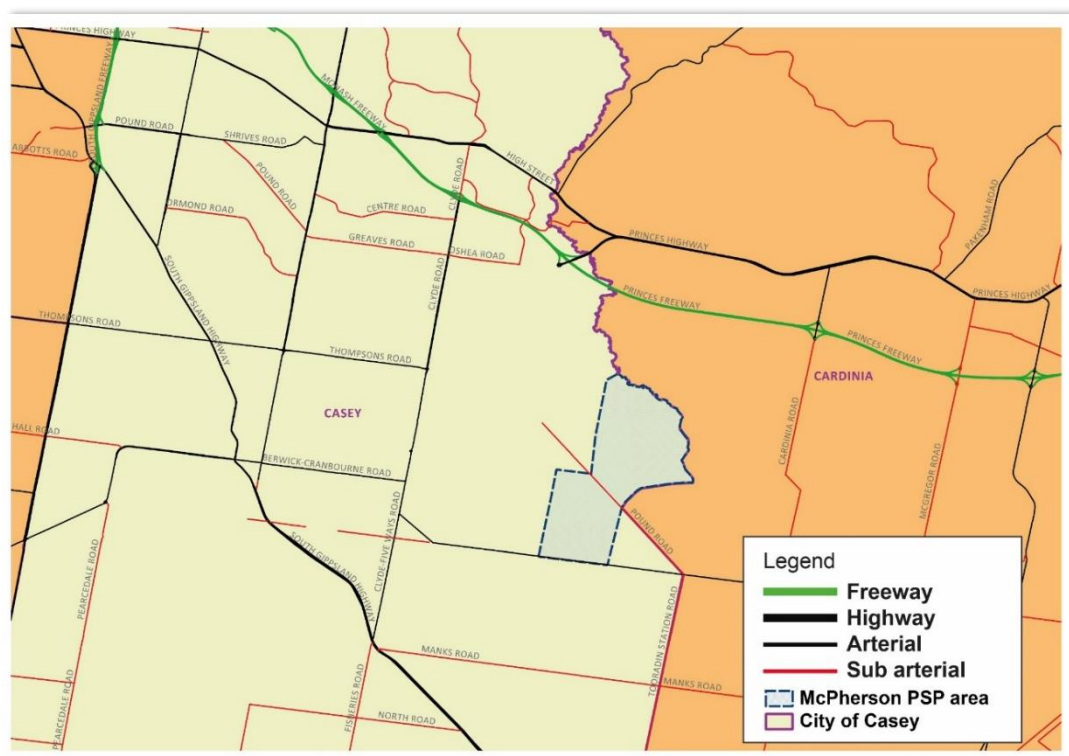


Figure 9- Existing arterial road network (VicRoads 2017)

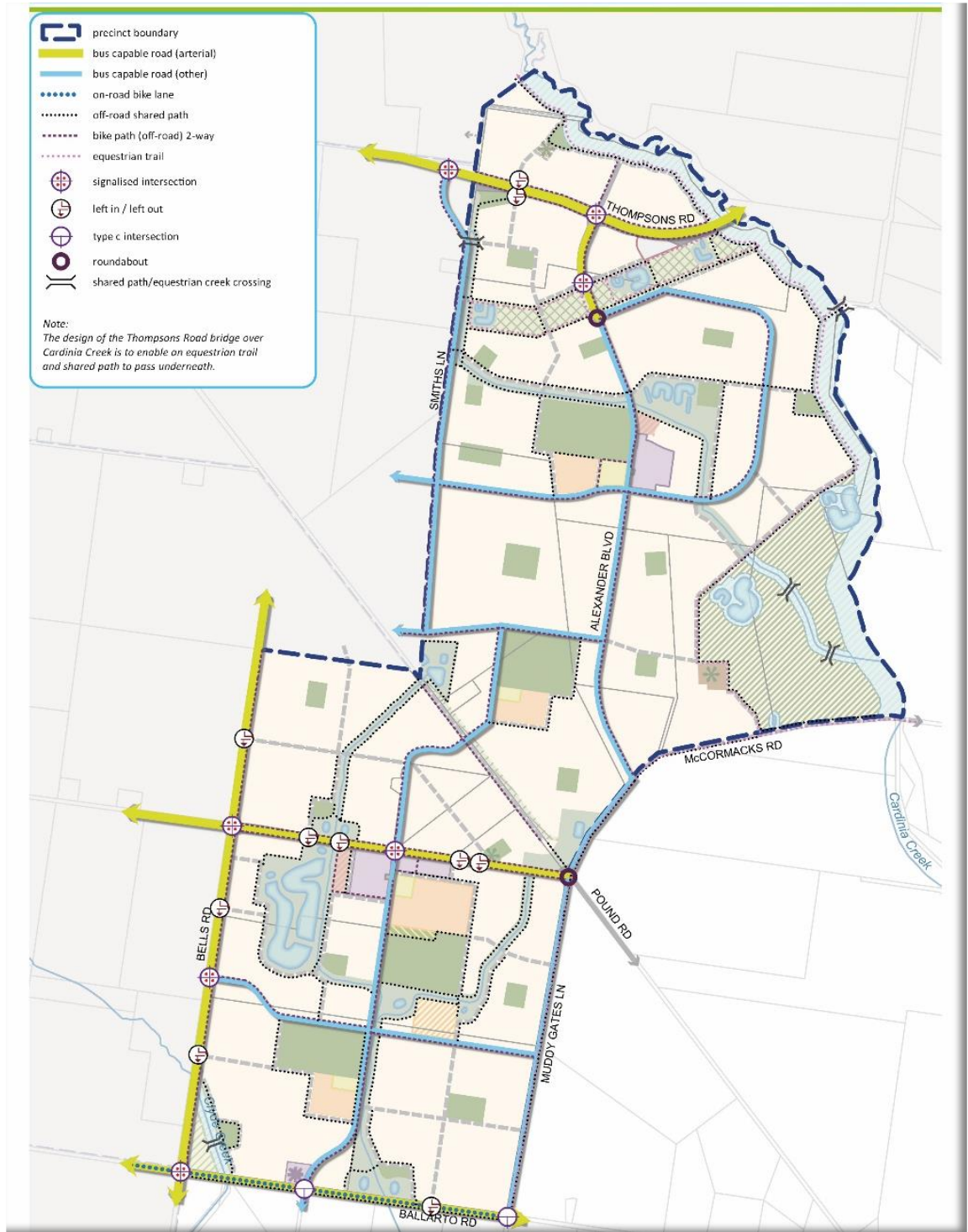


Figure 10 - Future road and path network

6.4 Rail services and bus network

Local bus routes into the site and through to the McPherson PSP area will be facilitated by the bus capable roads.

The nearest railway station is Beaconsfield railway station on the Pakenham railway line located 5 km north-west of the PSP. Cranbourne Station, on the Cranbourne railway line is located 8 km north west of the PSP.

A future Clyde Station is identified 2.7 km west of the PSP area, which is set out within the Clyde Creek PSP. As detailed on the below map, the existing PTV bus service does not yet extend to the PSP area.

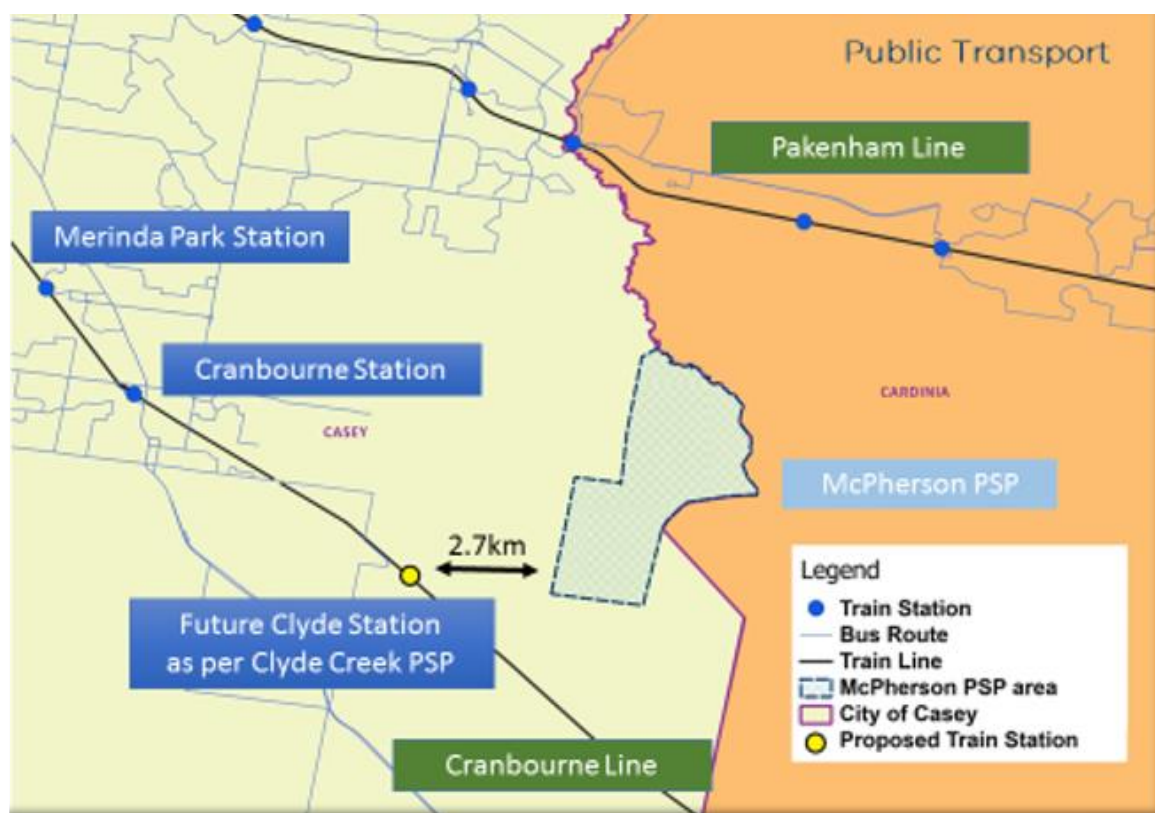


Figure 11 - Public transport map

6.5 Open space

The McPherson PSP provides an extensive network of local parks and sports reserves and also provides extensive access to waterways and conservation areas including both Cardinia Creek and Clyde Creek. A 50 hectare potential regional park is also located within the PSP adjacent to Cardinia Creek.

In total, 27.8% of the total PSP area is open space in the form of either active, passive or service open space. As per the PSP standards, as a proportion of the net developable land, 10% is provided for in a form of credit open space (local park or sports reserve). The location of parks have been provided to allow for 95% of residential lots to be located within 400m of a local park.

Within the regional context the McPherson PSP, Cranbourne Botanic Gardens is located 7km west.

The PSP is in proximity to a number of local parks and sports reserves in the adjoining PSPs to the west.

6.6 State and Commonwealth Conservation Area

The development of the precinct includes the provision of a 56.75ha conservation reserve along Cardinia Creek, 3.15 ha conservation reserve at Clyde Creek, and 50 ha potential regional park adjacent to Cardinia Creek. These conservation areas are provided for by the State and Commonwealth agreed under the Biodiversity Conservation Strategy (BCS).

In accordance with the requirements of the BCS, these areas will primarily provide for only limited recreational activities.

6.7 Sports Reserves and Indoor Recreation

The proposed four sporting reserves are to be co-located with education and community facilities.

They have been located to ensure that 95% of residential lots have access to a sports reserve within 1km.

The sports reserves will be configured to Council's general sporting reserve requirements and cater for high participation sports with provision for Australian Rules football, soccer, cricket and tennis, as well as hard courts for netball and basketball.

6.8 Community Infrastructure

In addition to indoor and outdoor sporting facilities the PSP provides for the following community infrastructure to be co-located with the schools and sporting facilities:

- Alexander Boulevard Family and Community Centre and Integrated Community Centre: Purchase of land and construction of Level 2 facility, including 3x kindergarten rooms, MCH, community rooms, and additional community spaces
- Old Pound Road Family and Community Centre: Purchase of land and construction of Level 1 facility, including 3x kindergarten rooms, MCH, and community rooms
- Pattersons Road Integrated Community Centre: Purchase of land and construction of Level 2 facility, including Neighbourhood House, dedicated social support space, meeting and community spaces.
- Ballarto Road Family and Community Centre: Purchase of land and construction of Level 1 facility, including 3x kindergarten rooms, MCH, and community rooms.

6.9 Local Parks

In total 21 local parks are to be provided, with 23 provided for in the no regional park future urban structure version.

Local parks are equitably distributed across the PSP area, maximising access by the local community and generating high amenity. Local parks are to be delivered in sizes ranging from 0.7 hectares to 2.4 hectares, cater for a diverse range of functions (i.e. gathering spaces, dog walking, linear connections, community focal points), and be located within convenient walking distance (400 metres) of 95% of all dwellings.

The PSP will facilitate pedestrian, cycling via a network of shared paths and bicycle paths that are provided for along waterways, sports reserves, connector streets and arterial roads.

6.10 Schools

The Department of Education and Training have been involved in the planning of this PSP to ensure the provision of schools will meet the anticipated demand and to ensure the location and design of the school sites meets their requirements.

In total three government primary schools and one government secondary school will be provided for within the PSP. The provision for one non-government primary school is also identified by a non-government school provider.

6.11 Local Town Centres

The PSP includes two local town centres, being Alexander Boulevard Town Centre and Pattersons Road Town Centre. Both these centres are planned for 8000 square metres of retail and 3000 square metres of commercial floor space. Concept plans, guidelines and requirements have been developed to ensure these centres are well planned.

A convenience centre is also provided on Ballarto Road which is planned for 1500 square metres of retail and 300 square metres of commercial floor space. Local convenience design guidelines are included within the PSP to guide the development of this centre.

6.12 Other Infrastructure

6.12.1 Desalination Easement

A desalination easement which services the Victorian Desalination Plant sits along Pounds Road. The PSP, and associated drainage designs, has been planned with Melbourne Water to ensure the desalination pipeline will not be affected by the provision of services associated with the PSP. The drainage strategy has been revised since the PSP was exhibited to respond to this.

6.12.2 Transmission easement

A transmission easement sits within the PSP area which services SP Ausnet. The transmission lines located within this easement provide for 500 kV above ground. SP Ausnet have developed subdivision and development guidelines to inform the uses and development that are supported within the easement. A utilities easement concept plan has been developed in accordance with SP Ausnet guidelines, which provides for number of pathways and drainage assets within the easement.

6.13 Heritage

There are two sites within the precinct, St Germain's and Southside Lodge that are affected by a Heritage Overlay (HO16 and HO130 respectively). A heritage assessment by Ecology and Heritage Partners Pty. Ltd in 2015 to review the statements of significance of these Heritage Overlay sites and provide a statement of significance to a third property 10 Smiths Lane, Clyde North, which currently is not listed within the Heritage Overlay.

Results from their assessments found that:

- St Germain's (HO16) - 95 McCormacks Road, Clyde North: Comprises a late Victorian Italianate dwelling constructed c.1890, which provides a representative example of a substantial rural homestead of the pastoral era. However, not all features within the site form part of heritage values of the place such as the onsite garage, swimming pool and tennis court.
- Southside Lodge (HO130) – 465 Pattersons Road, Clyde North: The site was originally listed to comprise a timber dwelling, hedges and a pair of rare Kurrajong tress (*Brachychiton populneus*). However, the timber dwelling and hedges are no longer provided on the site. Therefore the statement of significance should be revised to omit these features.

- 10 Smiths Lane, Clyde North: Consists of a mid-Victorian brick dwelling constructed in the mid-nineteenth century. The site is deemed to be of local significance as it reflects the regions early pastoral character.

All three sites are proposed to be incorporated into McPherson's future urban structure to continue the protection of their heritage values.

Amendment C221 seeks to make changes the Schedule to the Heritage Overlay. The Amendment will make minor modifications to the shape of Heritage Overlay Schedules 16 and 130 (HO16 and HO130) to reflect the loss of heritage elements and respond to the surrounding landscape setting. The Amendment will also apply Heritage Overlay Schedule 209 (HO209) to dwelling at 10 Smiths Lane, Clyde North to protect its heritage significance.

Furthermore HO16 and HO209 will allow prohibited uses in order to facilitate the ongoing use of these heritage dwellings, such as for a food and drinks premises.

A further update to the Heritage Citation for St Germain's (HO16) which also affects the heritage overlay boundary is currently being completed and will be provided for at the commencement of the Panel hearing.

6.14 Walkable Catchments

Since the PSP was exhibited, in response to submissions raised a walkable catchments area has been added to the FUS. The walkable catchments area, indicates where an increased density of 18 dwellings per hectare is sought. The walkable catchments area has been generally derived from an area of 400 metres from local town centres, 200 metres from community hubs and 100m from local convenience centres and subject to refinements based features of the FUS.

6.15 Precinct Infrastructure Plan and Infrastructure Contributions plan

A Precinct Infrastructure Plan has been prepared, which identifies community, recreation and transport projects which are to be included within the Infrastructure Contributions plan. The PIP also provides a number of items that are not to be included within the ICP for reference to indicate who the lead agency on the delivery is. A number of items within the Clyde DCP have been apportioned to McPherson ICP and these items are therefore also shown within McPherson ICP.

The VPA has determined that a supplementary levy is not required to fund the ICP. Therefore, the ICP can be processed under section 20(A) of the *Planning and Environment Act 1987*, along with the PSP.

6.16 No Regional Park Future Urban Structure for consideration

The Future Urban Structure without the regional park, removes the potential regional park and replaces it for residential land as it is within the Urban Growth Zone.

The resulting changes are:

- Greater wetland storm water management asset areas beside Cardinia Creek to accommodate for the increased water runoff from the residential area.
- Additional north-south connector road to allow for increased traffic volumes.
- Two additional local parks to cater for the increased residential catchment.

The FUS will otherwise remain the same outside of this part of the PSP. The additional residential yield did not trigger the requirement for additional community infrastructure beyond that being provided for. This was confirmed with Council and DET.

Since circulating the no regional park FUS, council has indicated a need for a slight increase in passive and active open space to meet the 10% target of net developable land. A marked up FUS with details of this additional active and passive open space will be provided for at the commencement of the Panel hearing.

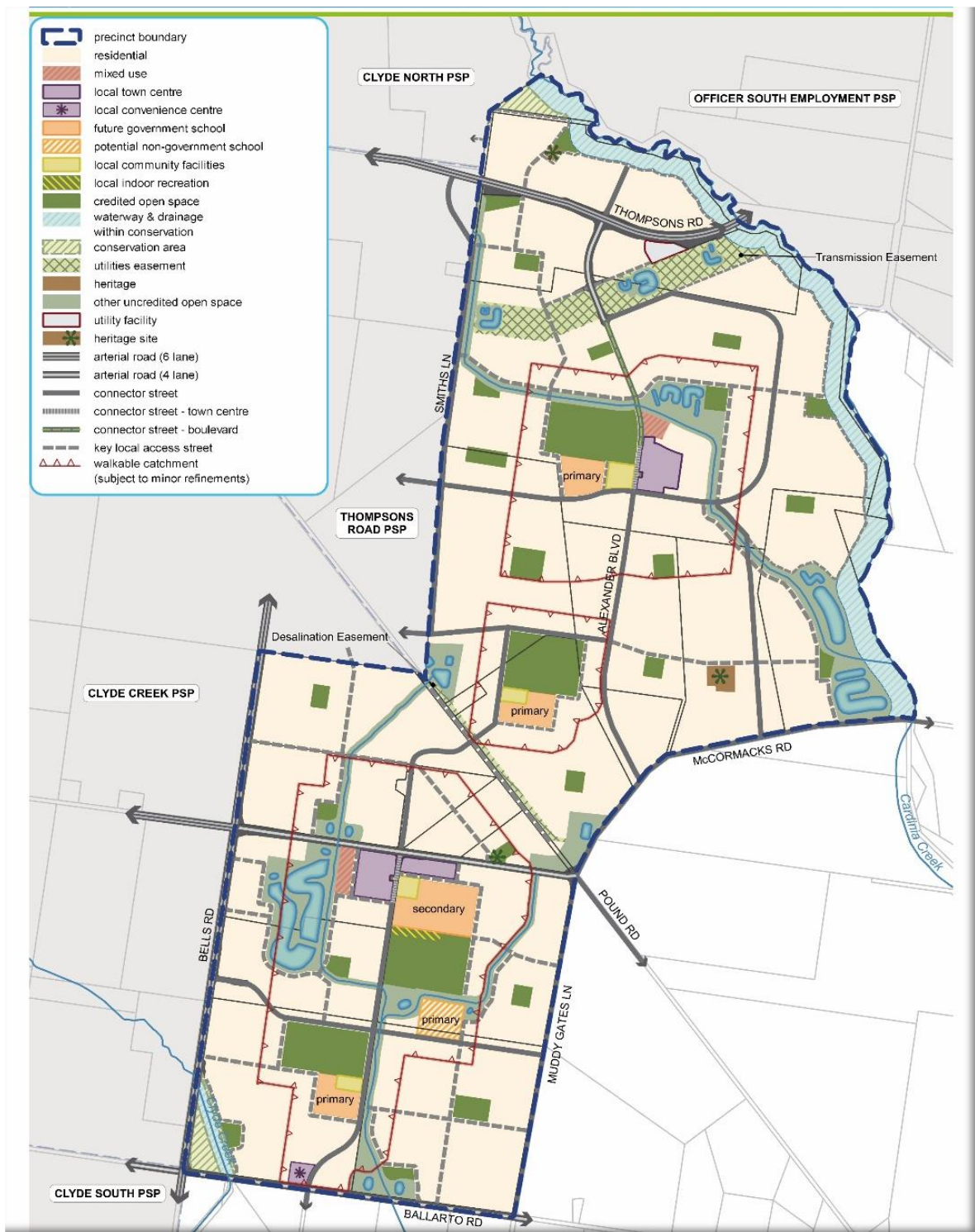


Figure 12 - Future urban structure without Regional park

7 THE AMENDMENT

Amendment C221 to the Casey Planning Schemes proposes to make a number of changes to facilitate the development and use of land within the McPherson PSP.

The following list is reflective of the exhibited documentation and what changes the amendment makes to the Casey Planning Schemes:

- Incorporates a new document into the Casey Planning Scheme by listing the document in the Schedule to Clause 81.01 as: *McPherson Precinct Structure Plan, May 2016*
- Inserts the Urban Growth Zone Schedule 12 (UGZ12) and applies UGZ12 to land that is zoned Urban Growth Zone (UGZ).
- Rezones part of the Urban Growth Zone (UGZ) within the amendment area to Rural Conservation Zone (RCZ) to land adjacent to Cardinia and Clyde Creeks.
- Rezones the Urban Floodway Zone (UFZ) to part Rural Conservation Zone (RCZ) and part Urban Growth Zone Schedule 12 (UGZ12).
- Rezones the Road Zone Category 2 (RDZ2) to Urban Growth Zone Schedule 12 (UGZ12).
- Inserts the Special Use Zone Schedule 7 (SUZ7) and applies the SUZ7 to land that is zoned Farming Zone 2 (FZ2).
- Modifies the Environmental Significance Overlay Schedule 6 (ESO6) and applies the ESO6 to match the proposed shape of the RCZ and PPRZ.
- Inserts the Incorporated Plan Overlay Schedule 2 (IPO2) and applies the IPO2 to land zoned RCZ and PPRZ.
- Amends the Schedule to the Heritage Overlay, applies Heritage Overlay Schedule 209 (HO209) to specific buildings and structures and modifies the shape of Heritage Overlay Schedules 16 and 130 (HO16 and HO130).
- Applies the Public Acquisition Overlay Schedules 3 and 4 (PAO3 and PAO4) to specific areas required for drainage and roads on the land;
- Amends the Schedule to Clause 52.17 to identify native vegetation exempt from requiring a planning permit.
- Updates the Schedule to Clause 61.03 to reflect mapping changes.
- .

7.1 Changes to the Amendment documentation in response to submissions

Since exhibition a number of changes have occurred to the amendment documentation, including Planning Scheme ordinances and the PSP documents, which have been resolved to in response to submissions. This has resulted in a number of resolved submissions.

The changes agreed to have been previously circulated with the 'Document Changes Matrix'. Should further changes be agreed upon, an updated document change matrix will be tabled at the commencement of the Panel hearing. The key changes to the amendment since exhibition include:

- Preparation of the No Regional Park FUS (technically not an official change to the PSP)
- Updated drainage scheme in response to desalination easement
- Updated township concept plans
- Updated Utilities Plan and pump station location

7.2 Appendix 1

Sub.	Submitter	Key Issues	VPA Response	Status
1	APA Group	None	No changes.	Resolved
2	Patricia Skinner	ICP should fund Thompsons Road	Agree - Add RD-7 east of IN-05 in the ICP. The bridge has been indicated in the PIP to be delivered by VicRoads.	Resolved
3	Krastoy Pty Ltd	As per submission 2	As per submission 2.	Resolved
4	Alison Grist	As per submission 2	As per submission 2.	Resolved
5	VicRoads	Changes sought to the ICP and Cross Section 10.	Agreed to changes in ICP and Section 10.	Resolved
6	PTV	Include note to cross section 8 regarding pavement.	Agreed.	Resolved
7	Bicycle Network	Need for Bicycle Paths and crossings in other identified locations.	Agreed in part, in some areas there is a need for pedestrian priority.	Resolved
8	Damian Sayers	Concerned with construction impacts.	Issues raised were outside the scope of the PSP.	Resolved
9	Melbourne Water	Drainage Scheme issues.	Issues resolved with updated drainage scheme.	Resolved
10	Cathy and Andrew Peart	None.	No changes	Resolved
11	Sue and Michael Kendley	None.	No changes	Resolved
12	Oakwood Riding School	ICP changes sought, details of equestrian trails.	Agreed to changes in ICP and equestrian trails, remaining issues in appendix 2.	Unresolved
13	Jet Wise	Remove LSIO, Reduce Potential Regional Park, Include PAO on potential regional park.	The VPA had drafted an updated LSIO schedule which was circulated to Melbourne water and council, however recent council feedback has identified further issues. This matter is currently unresolved See appendix 2 for remaining issues.	Unresolved
14	Sandyview Holdings	Utilities Easement requirement. Clarification on ICP and road network.	Added requirement regarding works within the utilities easement.	Resolved
15	South East Water	Changes to Utilities Plan needed.	Utilities Plan updated as agreed with South East Water.	Resolved
16	Mirvac	ICP changes sought, Alexander Bld LTC changes, Transitional Housing Requirement.	Agreed to a number of changes in ICP and Alexander Boulevard local town centre. See appendix 2 for remaining issue.	Unresolved
17	Catholic Education Office	Need for a Catholic Primary School	No change required	Resolved (Request to be heard submitted)
18	DELWP	Updates to Conservation area mapping, schedule to 52.17, Conservation interface sections	Agreed to mapping corrections, changes to 52.17 and cross section changes.	Resolved
19	Casey Council	Various changes to the FUS, local parks and access. Outstanding issue regarding the size and location of the	Agreed to changes, unresolved items in appendix 2.	Unresolved

		potential regional park within the PSP and the need for an earthworks permit trigger within the UGZ		
20	Beveridge Williams	Removal of LSIO	Same issue regarding the LSIO as submission 13. The VPA had drafted an updated LSIO schedule which was circulated to Melbourne water and council, however recent council feedback has identified further issues. This matter is currently unresolved. See Appendix 2.	Unresolved
21	Peter Tisdale	Size of park and waterway	Park shape amended, waterway amended as required by Melbourne Water.	Resolved.
22	Balcon Pty Ltd	School and community centre location north of Pounds road, Pattersons Road town centre concept Plan	All written issues resolved as changes made as discussed with land owner.	Resolved. (Request to be heard submitted)
23	Kerrie Volders	Uncertainty of the potential regional park and acquisition process and extent, suitability for growing grass frog.	Alternative FUS prepared showing urban structure without the regional park, pending DELWP and Commonwealth support for removing the regional park. Unresolved items in appendix 2.	Unresolved
24	John Follett	Patterson Road Concept Plan, Desalination Pipeline waterway changes required.	Town centre concept plan updated as discussed with landowners, Waterway design updated as confirmed with Melbourne Water.	Resolved. (Request to be heard submitted)
25	Cardinia Shire Council	Delivery of Thompsons Road	Include RD07 as an ICP item.	Resolved

7.3 Appendix 2

AMENDMENT C221 - McPherson PSP

Summary of Submissions

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Sub.	Item	Issue Raised	VPA Comment / Proposed Outcome	Changes to the Amendment VPA will undertake	PSP Page No	Status
12	Oakwood Riding School (PSP property No. 2)					
12	ORS3	RD-03 - Clarify Inclusion of PAO3 Land. The PAO3 (as per Transport Projects - Plan 1) identifies proposed Road RD-03 is within the Oakwood Riding School. The compulsory acquisition process and ultimate compensation must be based on the underlying proposed scheme that being a 6 lane freight transport roadway as opposed to a local road providing access to the PSP and this must be contemplated in the ICP. The funding of the acquisition including the proposed ICP must contemplate this outcome.	<p>Agree in part, revise the PSP to reflect the intention that the PAO3 land forms part of RD-03, as is identified in Plan 3.</p> <p>The land associated with RD-03 is shown in the list of the ICP items, but will be revised to expressly include the land affected by PAO3. The area for the arterial road is based on the ultimate (6 lane) road reserve requirement. Delivery of the arterial road is required to facilitate development of the PSP. Without it and the associated connector road access points, development in this part of the precinct would not be possible.</p>	<p>Amend the PSP at:</p> <ul style="list-style-type: none"> - Plan 2 to identify the PAO3 land as "road" - Land Project - Transport Table (ICP) to add the following to the description of RD-03 "(including land for intersection flaring)". 	16, 90 and 91	Unresolved
12	ORS8	Not-For-Profit Activities - Direction as per Plan Melbourne. At Initiative 4.4.3 Removing Planning Impediments to Not for Profit Community Services in the Planning System (Plan Melbourne, pg. 125), it is recommended in the short term that the VPA: "Provide guidance and update the planning provisions, where appropriate, to support not for profit activities" Not for profit organisations are compromised by increasing rents, government taxes & municipal rates in growth areas. Rate increases are a direct result of land being included within a PSP. Additional protection should be provided by VPA.	<p>Disagree, no change required to the PSP.</p> <p>In terms of rates and taxes, these are outside VPA's jurisdiction. Rate assistance can be discussed with Council. Taxes are beyond the scope of the PSP.</p> <p>Of note, the ORS had previously advised the VPA they wish to preserve the opportunity to develop their land, and the PSP and associated zoning reflects this.</p>	No change.	N/A	Unresolved
13	Jet Wise Enterprises Pty Ltd (PSP property No. 10)					
13	JWE1	UFZ and LSIO - Lack of Clarity. The PSP proposes to remove the UFZ. It is unclear what is proposed in relation to LSIO. Jet Wise reserves the right to make further submissions pending advice from the VPA.	<p>The existing schedule to the LSIO provides for a number of relevant exemptions in PSP areas. In discussion with council and Melbourne water it is considered that the LSIO should remain until the drainage strategy has been implemented.</p>	<p>Amend the PSP at Plan 1 to:</p> <ul style="list-style-type: none"> - Remove the "land subject to inundation" from the legend and plan - Add "Existing" before "1 in 100 year flood extent" in the legend - Add a note "The existing flood extent is prior to subdivision in accordance with Melbourne Water requirements under the Development Services Scheme". 		Unresolved
13	JWE2	Potential Regional Park - Reduce Area. Request for a reduction of the regional park area to allow more residential development of the land.	<p>Disagree, no changes required to the PSP.</p> <p>The Potential Regional Park size is allocated by DELWP and the Commonwealth.</p>	No change.		Unresolved
13	JWE3	Potential Regional Park - Apply PAO. It is unfair that the land will be set aside for public purposes, whilst the land owner will continue to pay rates and taxes associated with the land. A PAO should be applied to any area affected by the regional park and the land should be acquired immediately after the PSP is approved.	<p>Disagree, no change required to the PSP. DELWP has not instructed that a PAO should be applied to the land.</p>	No change.		Unresolved

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Sub.	Item	Issue Raised	VPA Comment / Proposed Outcome	Changes to the Amendment VPA will undertake	PSP Page No	Status
16	Mirvac (PSP property No. 5)					

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Sub.	Item	Issue Raised	VPA Comment / Proposed Outcome	Changes to the Amendment VPA will undertake	PSP Page No	Status
16	MV5	<p>R9 - Transitional Housing. The requirement (R9) for 600m2 lots along the whole length of the creek corridor should be deleted and replaced with a guideline regarding an sensitive interface with the creek (e.g. can also be included in the UGZ as a specific requirement regarding the interface with Cardinia Creek).</p> <p>Cardinia Creek is deeply incised and fast flowing and there will be a 100m buffer along the creek's edge to be transferred to the Crown. Therefore the need for 600m2 lots is unnecessarily for biodiversity and bushfire protection. Lots will already be setback 113m from Cardinia Creek due to the conservation area buffer (which would be well maintained by state government), shared path and 13m street. Further justification from VPA is required. Is the setback for bushfire conservation purposes or bushfire planning? The larger lots also reduce affordability, limit density, limit the type of product in the area, reduces passive surveillance and results in additional maintenance for larger lots. Also disagree with 8m front setback requirement.</p>	<p>Agree in part, reduce the lot size requirement to 500 sqm and remove the lot depth requirement as agreed by the CFA and also reduce front setback requirement to 6m. The front setback setback of the dwelling has been reduced to 6m and road section increased to 15m in response to concerns raised from Mirvac on the impact of the front setback requirement. This 6m front setback is required to provide a character response to the conservation area, carrying through the similar design response in Clyde North. A 40 metre fuel reduction area is also provided as a fire buffer due to the location of the conservation area at the edge of the UGB.</p> <p>The larger lots are required for two purposes: bushfire protection and manage the urban interface to Cardinia Creek. The CFA require the 40 m fuel reduction zone which now includes a 6 m front setback for dwellings. The requirement will be for an average of 500 sqm lots, with no lot depth or width restrictions.</p>	<p>Amend the PSP to:</p> <ul style="list-style-type: none"> - At R9, replace "600 sqm" with "500 sqm" - At R9, add "front" between "minimum" and "setback" - At Figure 1, remove the 32.0 m lot depth line markings - Change 8m front setback requirement for 6m metres within figure 1 and road section. 	19 and 20	Unresolved
19	Casey City Council					
19	CCC47	<p>Regional Park - Recreation Opportunities. The City of Casey considers the regional park to be of utmost importance to residents and visitors to the south-east of Melbourne. In comparison to other regional parks within the south east of Melbourne, the proposed regional park is substantially smaller in area than Jells Park (127 hectares) and Braeside Park (295 hectares). The two areas of passive recreation are 5 and 6 hectares. This is not equitable to other regional parks around Melbourne. On current plans, the proposed regional park limits opportunities for public access, and therefore does not meet the requirements of a regional park. Council considers the park as conceived currently, and based on its size, is a 'conservation reserve' only.</p> <p>If this location is to be the regional park, then it should include additional public open space uses if to be known as a 'regional park', without compromising the conservation outcomes. On Figure 10 'Conservation Area Concept Plan – Conservation Area 36 (Cardinia Creek Corridor)', under point 3, 'play spaces' and 'viewing platforms' must be included under associated infrastructure.</p>	<p>Disagree, no change required.</p> <p>One of the purposes of the Biodiversity Conservation Strategy is to identify how areas set aside for conservation will be managed. The BCS identifies the Cranbourne Regional Park as "Regional Park" management category, as opposed to, for example, "conservation, floodplain and open space" identified for the Cardinia Creek corridor. this document identifies the intention for the park to serve a regional, informal recreation purpose.</p> <p>Infrastructure within the Regional Park will be guided by a Conservation Management Plan, to be prepared and approved by DELWP post-PSP process.</p> <p>The terms "play spaces" and "viewing platform" have/have not been approved by DELWP to be added to point 3 in Figure 10.</p>	No change		Unresolved
19	CCC48	<p>Regional Park - Suggest Relocation Outside UGB. The alternate option is that an adequate sized regional park be located outside the urban growth boundary where the land is cheaper. Although Council reiterates its frustration that the location of the 'Cranbourne Regional Park' has moved well away from Cranbourne, a location outside the urban growth boundary is preferable to an inadequate size, as is currently proposed. Council has suggestions in this regard and will engage with the VPA and the Department on these.</p>	<p>Disagree, no change required.</p> <p>The VPA does not have jurisdiction to relocate the park. DELWP and the commonwealth would need to agree to relocate the park.</p>	<p>Alternative future urban structure plan prepared for panel in the event that the proposed regional park is removed by DELWP and the commonwealth.</p>		Unresolved
19	CCC62	<p>New Requirement - Earthworks. Request to add in a planning permit trigger for earthworks in the UGZ schedule.</p>	<p>Disagree, no change to the PSP required.</p> <p>This is a broader VPP issue. If works towards a subdivision is commenced, prior to a permit being issued this is a matter for planning enforcement and a separate earthworks trigger with the UGZ schedule is not required.</p>	No change.		Unresolved
20	Beveridge Williams					

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Sub.	Item	Issue Raised	VPA Comment / Proposed Outcome	Changes to the Amendment VPA will undertake	PSP Page No	Status
20	BW1	Plan 1 - LSIO. The LSIO is causing problems in the Clyde Creek PSP in residential areas. Banks and other financial institutions are not comfortable with the LSIO over new lots and are refusing finance, or restricting land owners. The PSP should remove the LSIO as per the Cranbourne East PSP.	The existing schedule to the LSIO provides for a number of relevant exemptions in PSP areas. In discussion with council and Melbourne water it is considered that the LSIO should remain until the drainage strategy has been implemented.	No change		Unresolved
23	Kerrie Volders (PSP property No. 9)					
23	KV1	Potential Regional Park - Status. Concerns are raised about the potential regional park proposed on their land. It is requested that the word "potential" be replaced with "future" as there is uncertainty about the status of the park.	Disagree, no change required for the PSP as the VPA has taken direction from DELWP, the public land manager, regarding the nomenclature for the park being "Potential Regional Park". No alternative instructions have been provided.	No change required.		Unresolved
23	KV2	Potential Regional Park - Acquisition. Confirm that the land designated as a Potential Regional Park will be purchased by Parks Victoria or provide an alternative use in the PSP if Parks Victoria do not commit to the land purchase/ or the purchase is not funded by the GAIC.	Agree in part, prepare an alternative FUS without the regional park in the event that DELWP confirm the potential regional park has been removed. The updated FUS can then replace the current FUS when required.	Prepare updated no regional park FUS and circulate to submitters and panel prior to the hearing. No changes to the amendment until DELWP confirms removal of the regional park.		Unresolved
23	KV3	Conservation Area - Extent. The extent of the conservation area should be revised or further evidence should be provided that it supports GGF habitat.	Disagree, no change required to the PSP as the conservation area as shown matches that identified in the Biodiversity Conservation Strategy.	No change required.		Unresolved
23	KV4	Potential Regional Park - Underlying Zone. The underlying use of the land should be outlined and information should be provided about how it will be valued to compensate the land owner for the Regional Park acquisition. There is no mechanism in the PSP that outlines the process for land acquisition by the relevant authority	Agree in part, see KV2 regarding the underlying zone. In terms of acquisition, DELWP's intent to buy the land is identified in the PIP (Appendix 4). This is the extent of requirements for the PSP. Further regulations pertaining to land acquisition follow the land acquisition and compensation act.	Refer to KV2 above.		Unresolved
23	KV5	PPRZ - Application to Private Land. The proposed PPRZ can not be applied to private land	Disagree, no change required. PPRZ is the appropriate zone is the regional park is retained as it reflects the intended future use of the land as parkland in public ownership.	No change required.		Unresolved

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Sub.	Item	Issue Raised	VPA Comment / Proposed Outcome	Changes to the Amendment VPA will undertake	PSP Page No	Status
23	KV6	GGF Habitat Suitability. The land is not suitable for GGF habitat and therefore the regional park area should be designated as residential land. The original GGF studies (2012) were inadequate.	This is not a matter that can be addressed by the VPA. The panel has indicated they will not be discussing whether or not the regional park should be in the PSP area.	No change required.		Unresolved