

## Whittlesea Planning Scheme Amendment C241 Addendum

<b>Subject:</b>	<b>Shenstone Park PSP</b>
Prepared for:	Gadens on behalf of Donnybrook JV Pty Ltd
Prepared by:	Robert Milner
Date:	16 November 2020

### 1.0 Introduction

Gadens, lawyers, have previously instructed me to prepare evidence on behalf of Donnybrook JV Pty Ltd with respect to Amendment C241 to the *Whittlesea Planning Scheme* and *Shenstone Park Precinct Structure Plan* (**Shenstone Park PSP**).

That evidence has been filed with Planning Panels Victoria.

Subsequently Norton Rose Fulbright on behalf of Yarra Valley Water (**YVW**) filed additional information regarding the proposed treatment plant, including a plan showing the odour buffer distances to be relied upon (**Figure A**).

I have been asked to review that advice from a strategic planning perspective and to provide this addendum report upon its implications, if any, on my previous report and the opinions contained therein.

### 2.0 Relevant considerations

I rely upon the statement of relevant considerations appended to my original Planning Expert Evidence report dated November 2020, save that this addendum has been further informed by the Odour Addendum Report prepared by Peter Ramsay & Associates and dated 6th November 2020 in which Mr Ramsay specifically addresses the implications and merit of the revised advice from YVW.

### 3.0 Witness statement and curriculum vitae

The witness statement and curriculum vitae appended to my original report remain relevant and applicable to this advice.



## 4.0 Declaration

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

## 5.0 Proposals advanced for the Recycled Water Treatment Plant

The proposal to establish a treatment plant to produce Class A recycled water for use across the immediate area addressed by the Shenstone Park PSP and its locality has been known for approximately a decade. It arose from the metropolitan growth strategy committed to in *Delivering Melbourne's Newest Sustainable Communities* (2009) and planning scheme amendment VC68 that gave statutory affect to that strategy.

The *North Growth Corridor Plan* (2012) (Figure 4 of my original evidence report) provided for the treatment facility with a note over Woody Hill Quarry stating the boundary and size of a sewage treatment plant was to be determined.

The plan concurrently showed a non-urban / utilities area surrounding to the west, north and east of the quarry. Based upon the manner in which the above was represented on the *North Growth Corridor Plan* it might have been concluded that the treatment plant might be an 'after' use of the quarry.

The 2017 version of the Shenstone Park PSP nominated a utility area west of the quarry and a potential water storage area to the east (Figure 5 of my original evidence report) but did not include a reference to a treatment plant to the south of the quarry.

That plan varied in 2019 providing for the treatment plant to be located to the immediate south east of Woody Hill Quarry and 'utility facilities' to the west of the quarry. A link between the Phillips and Woody Hill quarries was indicatively shown in the same locality with a restriction on blasting overlaid on the southern portion of the quarry (Figure 6 of my original evidence report).

The most recent revision to the Shenstone Park PSP took a more conceptual approach to the provision of the utility services and facilities, showing the potential future water treatment facility as a symbol setback from the quarry and the potential future waste storage ("holding ponds for treated recycled water") as an alternative use of the land west



of the quarry, retaining an option to use that land for industrial purposes (Figure 7 of my original evidence report).

The advice of the 6th November 2020 (**Figure A**) advances the most definitive representation of the treatment facilities showing the following:

- land proposed to be acquired by Yarra Valley Water;
- an indicative layout of the plant;
- a pipe corridor and access track between the treatment plant and holding ponds;
- an indicative representation of the open treated water storages;
- a previously assumed Odour buffer; and
- a directional 150L/EP/d.

I understand any implementation of the plant is envisaged as being in excess of 10 years into the future.

## 6.0 The response from Peter Ramsay & Associates

The Ramsay odour report has had regard to the advice of the 6th November 2020 and an impact assessment undertaken by GHD dated 2017. The GHD assessment was undertaken for a facility with an equivalent 230,000 persons capacity, the largest facility and most conservative estimate of demand.

GHD recommended a 613-metre separation zone between the treatment plant and a sensitive use, in accordance with EPA publication 1518 but then recommended an adjustment buffer based upon a directional analysis of wind patterns. Ramsay challenges the justification for such a variation.

Ramsay notes that the treatment facility advanced in the advice of 6th November 2020 is for a smaller mechanical / biological facility with a capacity of 190,000 equivalent persons and that it would require a separation distance of 575 metres to be in accordance with EPA Publication 1518.



He again notes that the advice provides for a directional buffer variation, which he is unable to justify.

Ramsay's analysis enables him to conclude that applying the 575-metre buffer distance would extend a further 5 metres into the sensitive uses area to the north of Phillips Quarry.

## 7.0 Assessment

On the information publicly available there are sound reasons to be uncertain and cautious about the implications of the recycled water treatment plant and its impact upon the Shenstone Park PSP.

The need for the facility was identified over a decade ago but in the intervening period, between now and then, the actual location, capacity and attributes of the facility as detailed in the background reports and iterations of the PSP are appropriately described as continually changing and conceptual.

It is unclear whether the advice of the 6th November 2020 is another position statement or a statement of final intent.

The proposed location for the treatment plant as shown in **Figure A** places it essentially as close as possible to the boundary of Phillips Quarry, the proposed access link between Phillips Quarry and Woody Hill Quarry and the previously identified areas suitable for sensitive residential use.

Based upon the depiction of the 'Assumed Odour Buffer' that would have impacted upon land identified for residential use, and beyond the buffers required for the quarries.

If the Ramsay analysis and recommendations are applied (**Figure B**) then all the acoustic, odour and blast buffers coincide at approximately the juncture between the conservation area with residential and light industrial areas.

As a matter of principle, I endorse an overlapping of buffer distances for quarries and treatment plants as an efficient and effective land management and conflict minimisation tool.



A matter to be mindful about is that the quarry buffers will lapse with the closure of quarries and the treatment plant will be the long-term influence and impact.

The above analysis however relies upon the location and size of the facility remaining as nominated on the 6th November 2020 and leaves no room for variation in the size of the facility.

Unless a final and permanent position has been made on the capacity of the facility an appropriate cautious and prudent approach would include a tolerance for potential change and include a reconsideration of the location of the treatment plant to move it further away from the sensitive interface.

With respect to the storage ponds on the west side of Woody Hill Quarry further clarification is warranted as to whether those ponds would preclude industrial use of any of the land shown to have a potential industrial role on the October 2020 version of the Shenstone Park PSP.

Finally, it would be appropriate that greater detail be provided to be satisfied and assured that the connection between the quarries would be protected and be able to operate alongside the recycled treatment plant.

**Robert Milner**

**16 November 2020**



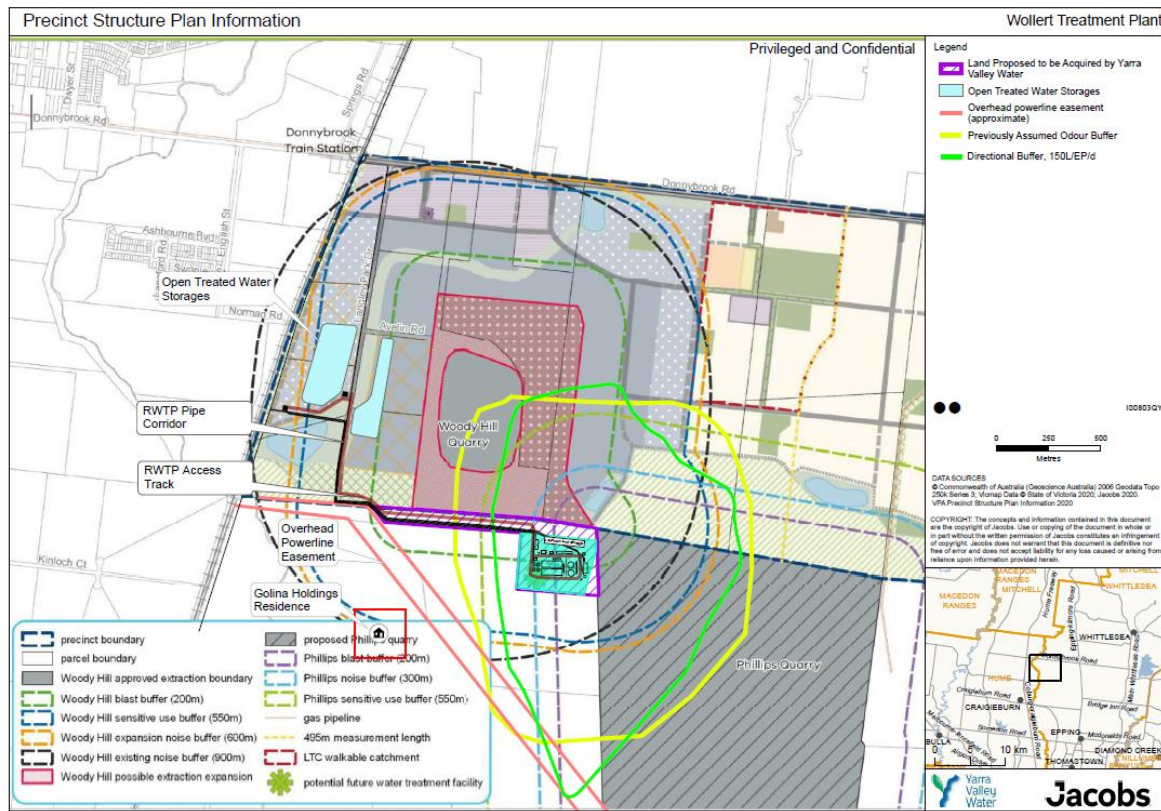


Figure A



Figure B