

**INDEPENDENT PANEL APPOINTED BY THE MINISTER FOR PLANNING
PLANNING PANELS VICTORIA**

**IN THE MATTER OF PLANNING SCHEME AMENDMENT GC81 TO THE
MELBOURNE PLANNING SCHEME**

Closing Submissions on behalf of Hanson Construction Materials PL

1. This submission comprises a brief response on behalf of Hanson Construction Materials Pty Ltd (Hanson) to the following matters:
 - (a) Amendment VC146/Infrastructure Contribution Plan.
 - (b) The Lorimer Schedule to the Design and Development Overlay (Part C Version).
 - (c) The City of Melbourne proposed amendments to the GC81 Documents dated 23 May 2018.
 - (d) The proposed roads nominated on Hanson's land.
 - (e) Notice and review rights contained in the CCZ4.
 - (f) The proposed "Arts and Cultural Hub" within Lorimer which covers Hanson's land.

Amendment VC146/Infrastructure Contribution Plan

2. It appears that Amendment VC146 would apply the Infrastructure Contribution Overlay (**ICO**) over Hanson's land.
3. Hanson's primary submission is that any buildings and works or use permission associated with the improvement, upgrade or alteration of its facility must be exempt from the requirements of the ICO. This is consistent

with Hanson's broader submissions to the Panel concerning the strategic value and likely ongoing role and operation of the facility.

4. Given the probability of Hanson's occupation in the long term, it would be wrong to discourage permits that might upgrade or improve the facility, including for example upgrades that improve the visual, dust or acoustic amenity in the area.
5. If the ICO is not removed entirely, it should at least make applications associated with the existing use exempt.

Lorimer Schedule to the Design and Development Overlay

6. Hanson's primary submission is that concrete batching plants must be exempt from the requirements of the DDO.
7. The focus of the DDO is to provide guidance for the development of mid to high-rise scale developments in terms of building heights, street walls, setbacks, active frontages and building finishes.
8. The DDO does not provide any guidance in terms of the upgrading of concrete batching plants.

The City of Melbourne proposed Amendments

9. The City of Melbourne suggested drafting changes to the Minister's Part C version. The proposed changes have the effect of downplaying the strategic importance of the concrete batching plants to the State of Victoria, the Melbourne CBD and inner Melbourne. Like Barro, Hanson strongly opposes

any drafting changes that downplay or qualify the strategic importance of the concrete batching plants in Lorimer.

10. Hanson prefers the Minister's Part C version of the documentation subject to the recommendations of Mr Barnes and Mr Negri.
11. At the hearing on 20 June 2018, Hanson intends to make very brief oral submissions:
 - (a) In relation to the City of Melbourne's proposed changes; and
 - (b) Regarding its own drafting recommendations.

Proposed roads nominated on Hanson's property

12. Hanson does not support the two 12 metre wide roads proposed across its land.
13. In its Closing Submissions at pages 19 & 20, the Minister asserts that these roads are *essential for access and traffic circulation purposes*. This is a mere assertion. It is contrary to the expert evidence of Mr Turnbull.
14. Mr Turnbull was the only Traffic Engineer who made an assessment of whether or not these roads were required for access or traffic circulation reasons. Mr Turnbull's evidence was emphatic to the effect that the roads are not needed for any traffic engineering reason.
15. Mr Barnes' evidence is that the proposed roads are not necessary for land use planning or urban design purposes.
16. Moreover, the proposed roads would undermine the efficiency of the Hanson land for any future development. If a shared walking and path is required on

Hanson's land, this can be planned for during the detailed design of future development. Small lanes, pathways and arcades could be secured via conditions on planning permit if appropriate.

17. The Advisory Committee should recommend the deletion of all references to the road on Hanson's land.

Notice and review rights contained in the CCZ4

18. Hanson supports third party notice of applications for sensitive uses within 300 metres of its land. Apart from protecting its interests Hanson is in the best position to assist the process with relevant information and assessment where it involves assumptions or survey or predictions about Hanson's operations.

19. For example, Hanson could verify or check what is being applied for against matters such as:

- Hours of operation.
- The type of plant & equipment that is operated onsite.
- The number of trucks accessing the plant each day.
- Any proposal to upgrade the plant.

20. Alternatively, Hanson would be in a position to contradict erroneous expert material otherwise to be relied upon by the decision maker.

21. It follows that Hanson is entitled to a right of review where a lament of approval concerns a decision about the acceptability of the amenity interface.

22. This is consistent with the independent evidence of Mr Milner on behalf of the City of Melbourne.

The proposed Arts and Cultural Hub Within Lorimer

23. Nominating the two concrete batching plants within an “Investigation area – Arts and Cultural Hub” is confusing. The concrete batching plants are the dominant land uses within this investigation area and will remain there for the very long term.
24. The Advisory Committee should recommend that the concrete batching plants, and the land adjacent to the plants, are not included within the Arts and Cultural Hub.
25. As the plants will remain for the long term, it would be good strategic planning to identify them on the Framework Plan as being in their own sub-precinct.

Conclusion

26. Hanson welcomes the opportunity to briefly expand on these closing submissions on 20 June 2018.

Jason Kane
Isaacs Chambers
5 June 2018