

23 July 2020

Department of Environment, Land, Water and Planning
PO Box 500
EAST MELBOURNE VIC 3002

Dear Sir or Madam,

SUBMISSION TO THE STRATEGIC EXTRACTIVE RESOURCE AREA PILOT PROJECT

I write in relation to DEWLP's Strategic Extractive Resource Areas (SERA) Pilot Project which is currently on consultation.

[REDACTED]

The Cornerstone community, consisting of approximately 1000 homes, is approximately 50% complete. Development commenced in 2016 following the granting of a planning permit by Wyndham City Council for staged residential subdivision in the northern part of the site in 2015. A separate planning permit was granted in 2016 for staged residential subdivision of the balance (southern part) of the development, excluding approximately 60 proposed lots which fall within 480m of the Holcim quarry site and which are not presently part of any planning permit.

This 480m radius was determined to reflect the EPA's recommended 500m setback for a sensitive use from blasting activity, after accounting for a 20m setback of any blasting activity within the Holcim site from the property boundary.

The proposed State Resource Overlay should not be applied to the land at 383 Black Forest Rd Werribee, as the existing planning controls are sufficient and the proposed overlay will conflict with the existing planning approvals in place.

Existing planning controls

The proposed lots located with 480m of the Holcim quarry site are now the subject of a Section 72 amendment to enable subdivision to proceed. Under existing planning controls this amendment is subject to a referral to DEDJTR (now DJPR) and may also be subject to a risk assessment to provide sufficient confidence that a sensitive use can be safely developed in the vicinity of the existing quarry activity.

It is Peet's view that the introduction of further planning controls over the site at 383 Black Forest Rd Werribee is redundant, as the current planning controls provide for suitable rigour to be applied in the process of seeking a permit for residential development to proceed in proximity to the Holcim quarry property.

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Existing planning approval

We note that the SERA pilot project proposal includes the introduction of a 500m buffer from the title boundary of the Holcim quarry site. If approved, this will have the effect of encumbering approximately 16 future residential lots for which a permit to subdivide has already been granted. These are lots which are wholly or partly located within a 500m distance to the Holcim property boundary but which are outside the current 480m buffer from that title boundary.

The proposed introduction of this overlay to land which is already subject to a planning permit and for which preparation for civil construction is well progressed will introduce considerable uncertainty and complexity in the delivery of the current permitted development. Consideration has already been given to the suitability of development in this location in the process of securing the existing planning approval.

In summary, the proposed State Resource Overlay should not be applied to the land at 383 Black Forest Rd Werribee, as sufficient protections are already provided in the existing planning controls, and the timing of the proposed introduction (after the a permit for development in this area has already been granted) will create considerable uncertainty by conflicting with the existing planning approval.

Please do not hesitate to contact me on [REDACTED] or at [REDACTED] to discuss this submission further.

Yours sincerely,

PEET LIMITED

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