

7<sup>th</sup> July 2017

Graeme Linsell  
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Dear Graeme,

**RE: Application No: SP/2017/96**  
**Proposal: Removal of the reserve status from the land and subdivision of land into a lot and reserve**  
**Property: 104B McBryde St, FAWKNER 3060**

Thank you for forwarding this permit application to Merri Creek Management Committee (MCMC).

MCMC objects to the granting of this planning permit for two primary reasons:

1. the inadequacy of the proposed creek corridor reserve created by this subdivision;
2. the absence of a comprehensive strategic analysis of future open space needs for this area.

Further, we see the potential for improved outcomes if Council were to take an integrated planning approach, considering both the VicRoads land, which is the subject of this application, and the adjacent industrial land on McBryde St, which is identified for 'transition to residential' in Council's Industrial Land Strategy.

#### **Background and intent of subdivision for future residential development**

We understand the subdivision of this land, currently owned by VicRoads and now surplus to its requirements, is a necessary pre-cursor for a land swap agreed to by Council at its meeting on 9 December 2015 (Item DCS102/15)<sup>i</sup>. This land swap involves Council selling a parcel of its own land in Hood St to VicRoads, and VicRoads selling to Council a 35 metre-wide strip adjacent to Merri Creek (i.e. the reserve that would result from the proposed subdivision of the land in application SP/2017/96).

The land swap would provide a second road access point to the VicRoads' property, thus allowing for future development of the non-reserve portion of the land for residential purposes (outlined in the Council meeting of 9 Dec 2015<sup>ii</sup>). We note that Council's Open Space Design & Development Unit did not support this land swap though the agenda report does not elaborate the reasons<sup>iii</sup>.

#### **Inadequate width of creek corridor**

In our view, the width of the proposed creek corridor reserve is inadequate and falls short of Clause 21.03-6 Open Space Network of Moreland's Planning Scheme. This clause seeks to create a continuous open space corridor with a **minimum of 50 metres on each side of Merri Creek**<sup>iv</sup> [*emphasis added*]. Melbourne Water's Waterway Corridors Guidelines (2013) also specify a 50 metre wide corridor either side of a waterway the size of Merri Creek.

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Merri Creek Management Committee Inc. comprises:

City of Darebin      City of Hume      Shire of Mitchell      City of Moreland      City of Whittlesea      City of Yarra  
Friends of Merri Creek Inc      Wallan Environment Group Inc

We also note that a report commissioned by Council commented that the VicRoads land at 104B McBryde St should be retained in public ownership (identified as parcel no.39 in 'Merri Creek Land Tenure Investigation and Mapping' 2003').

#### **Lack of Strategic analysis of future open space needs**

The VicRoads land is currently zoned as Public Park and Recreation Zone and is clearly identified as an open space asset in Moreland's Open Space Strategy.

We are very concerned at the intention to convert current open space PPRZ to residential use, particularly in the absence of any strategic analysis of the future needs of the Merri Creek Parklands in the documented decision made by Council (DCS102/15, 9 Dec 2015).

The State Planning Policy Framework designates Merri Creek as a highly significant recreation and habitat corridor (Clause 12.04-1). Many stretches of the creek parklands have been restored and improved over the past decades years, and the creek is highly valued by the community. As urban consolidated proceeds within Moreland, coupled with increased temperatures from climate change, the green spaces of the Merri Creek corridor will become even more important. Usage will increase and is likely to become more varied. For example the increasing use of Merri Creek parklands for 'BushKinder' activities was not foreseen even a decade ago. It is very likely that the creek parklands will become even more highly valued by the community.

A reduction in the amount of open space should not be countenanced without a comprehensive and consultative analysis of future needs, considering the full spectrum of public open space possibilities including playgrounds, community gardens, nature recreation, water elements and active recreation, as well as the ecological needs of healthy landscapes.

A strategic approach would also consider options to create and improve positive interfaces to, and connections for the community to the open space of the Merri Creek Parklands.

#### **Need for integrated planning for VicRoads land and adjacent 'transition to residential' land**

We note that the VicRoads parcel of land is adjacent to an industrial area on McBryde St, Fawkner which is identified as 'transition to residential' in the Moreland Industrial Land Strategy 2015-2030. This strategic direction for the current industrial land provides an opportunity for Council to take an integrated planning approach to the future of the industrial area and the adjacent VicRoads land, with a view to both residential development and enhanced, healthy parklands with good connections between the two and into the wider community.

#### **Conclusion**

In conclusion, we urge Council to refuse this permit application and instead commit to undertaking a comprehensive, strategic analysis of future land use options that encompasses both the VicRoads land and the adjacent 'transition to residential land' in McBryde St, Fawkner, with a particular focus on residential and public open space possibilities.

We also urge Council to undertake a genuine consultative process with the Moreland community in considering land use options for the future of this area.

Yours sincerely



Luisa Macmillan  
Manager

## ENDNOTES

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<sup>i</sup> **DCS102/15 PROPOSED LAND SWAP WITH VICROADS - MCBRYDE STREET, FAWKNER (D15/363716)**

Council resolve:

1. That the acquisition of a 35 metre wide strip of VicRoads' site is a strategic acquisition and a priority for Council.
2. That the Director Corporate Services be authorised to commence negotiations with VicRoads to acquire their strip of land and do all things necessary to effect the acquisition of the site from VicRoads at an agreed current market value.
3. That Council's site in Hood Crescent, known as Lot 62 on Plan of Subdivision 343450, is surplus to its needs.
4. That in accordance with s191 of the *Local Government Act 1989*, Council authorises the Director Corporate Services to sell the site to VicRoads by a private treaty and do all things necessary to effect the sale of the land, at an agreed current market value.

*Minutes of Moreland Council meeting 9 December 2015*

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<sup>ii</sup> **DCS102/15 PROPOSED LAND SWAP WITH VICROADS - MCBRYDE STREET, FAWKNER (D15/363716)**

VicRoads intends to dispose of the property in accordance with the Victorian Government Land Transaction Policy.

VicRoads submitted a draft concept development plan for the site to show what could potentially be built on the site. Any development to the site will need to go through the normal planning processes.

VicRoads' property is currently only available via an unmade local road to its southwest corner from McBryde Street. A future development of the property would require another access point at the northeast corner of the property. This access point would pass across Council owned land at Hood Crescent, Fawkner which is zoned Neighbourhood Residential Zone 1 (NRZ1). This proposal is necessary as it allows for greater permeability of the road network and ensures that emergency vehicles can access the site.

*Minutes of Moreland Council meeting 9 December 2015*

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<sup>iii</sup> **DCS102/15 PROPOSED LAND SWAP WITH VICROADS - MCBRYDE STREET, FAWKNER (D15/363716)** *Agenda Report, Moreland Council meeting 9 December 2015*

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<sup>iv</sup> **21.03-6 Open Space Network**

**Objective 16** To protect the biodiversity, amenity and recreational values of the open space network, identified on Map 1.

**Strategies**

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...

- 16.7** Create a continuous public open space corridor with a minimum of 50 metres on each side along the Moonee Ponds, Merri and Edgars Creeks. A minimum of 30 metres from the edge of the embankment on each side should be a vegetated buffer.

*Moreland Planning Scheme*

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<sup>v</sup> Merri Creek Land Tenure Investigation and Mapping Report Incorporating: Stage 1 Metropolitan Ring Road to Queens Parade Fawkner; Stage 2 Queens Parade Fawkner to Southern Boundary. (2003). Prepared by Merri Creek Management Committee Inc. for Moreland City Council under contract.

