

9.2 Moonee Valley Racecourse Proposal - Amendment C120 and C124 - Gazettal Notice

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Purpose

To provide Council with an update to the gazettal of Amendments C120 and C124 to the Moonee Valley Planning Scheme, which respectively facilitate the development of Moonee Valley Racecourse and apply a Heritage Overlay to the majority of the site.

Executive Summary

- The Moonee Valley Racing Club (MVRC) submitted a proposed Master Plan and request to rezone the racecourse site on 25 October 2011.
- Council has maintained a position that further information in relation to the impacts of the proposal on the surrounding area is required prior to approving any planning controls for the site.
- Following a lengthy process for the MVRC's proposal (including an Advisory Committee process) the Minister for Planning has now approved planning controls for the site (Amendment C120).
- The Minister for Planning has also approved a Heritage Overlay for the site, as requested by Council (Amendment C124).
- Amendments C120 and C124 were officially gazetted on 25 September 2014 and now form part of the Moonee Valley Planning Scheme.
- Specifically, Amendment C120 makes the following changes to the Moonee Valley Planning Scheme:
 - Rezones the western part of the land to a Comprehensive Development Zone (CDZ) - Schedule 1 **Appendix C** - (separately circulated).
 - Introduces a Comprehensive Development Plan to the western land as an Incorporated Document in the planning scheme **Appendix D** - (separately circulated).
 - Amends the Special Use Zone (SUZ) - Schedule 2 that currently applies to the racecourse area **Appendix E** - (separately circulated).
 - Rezones the north-east part of the land to a Mixed Use Zone (MUZ) - Schedule 2 **Appendix F** - (separately circulated).
 - Introduces a Design and Development Overlay (DDO) to the north-east part of the land **Appendix G** - (separately circulated).

- The zoning map that outlines where each zone is to be located can be found at **Appendix B** - (separately circulated).
- The approved CDZ and SUZ exempt buildings and works from notice and review if they are generally in accordance with the approved planning scheme controls. The approved MUZ exempts all uses, buildings and works from notice and review rights.
- Amendment C124 introduces a Heritage Overlay (HO379) to the site with the exception of the north-east corner of the land, and introduces the Moonee Valley Racecourse Incorporated Plan: Conservation Policy and Permit Exemptions as an Incorporated Document to the Moonee Valley Planning Scheme. Amendment C124 is in accordance with the recommendations of Council.
- Key changes of the approved planning scheme controls compared to the Advisory Committee's recommendations are:
 - Application of the Comprehensive Development Zone (CDZ) in lieu of the Activity Centre Zone (ACZ);
 - Increase in building heights across the CDZ; and
 - Allowing building heights that would facilitate a higher dwelling density than that recommended by the Advisory Committee.
- Council maintains the status of the responsible authority for the assessment of any planning applications made on the site.

Recommendation

That Council note the Minister for Planning's approval of Amendment C120 and C124 that:

- a) Applies the Comprehensive Development Zone- Schedule 1 to the land to be developed in the western part of the site.
- b) Amends the Special Use Zone – Schedule 2 to the land to be retained for horse racing activities.
- c) Applies a Mixed Use Zone to the north-east corner of the site, together with a Design and Development Overlay – Schedule 12.
- d) Amendment C124 applies the Heritage Overlay to the entire racecourse site, with the exception of the land in the north-east corner.

Background

- The Moonee Valley Racing Club (MVRC) submitted a proposed Master Plan and request to rezone the racecourse site on 25 October 2011.
- Council requested that the Minister for Planning prepare an Amendment to apply a Heritage Overlay over part of the racecourse site on 10 April 2012.
- In response to a request to the Minister for Planning by the MVRC to intervene, the Minister for Planning established the Moonee Valley Racecourse Redevelopment Advisory Committee on 15 April 2013.
- The Moonee Valley Racecourse Redevelopment Advisory Committee was established to consider the proposed master plan, Amendment C120 (Moonee

Valley Racecourse Redevelopment) and Amendment C124 (Moonee Valley Racecourse Heritage Overlay).

- Council endorsed a submission to the Moonee Valley Racecourse Redevelopment Advisory Committee on 3 September 2013, which was submitted on 6 September 2013.
- The Advisory Committee held a public hearing to consider the proposal by the MVRC, and to hear from all submitters and stakeholders, including Save Moonee Ponds, VicRoads and Public Transport Victoria.
- The public hearing was held over 15 days from 2 October to 24 October 2013. The Advisory Committee had eight weeks to provide its report to Council and the Minister for Planning. Council received the Advisory Committee's report on 19 December 2013.
- In summary, the Advisory Committee supports the realignment of the racetrack, the subsequent relocation of the grandstand to Wilson Street and redevelopment of the western and north-eastern portion of the site for residential and some commercial/community uses.
- The Advisory Committee has however recommended a number of changes be made to the master plan and planning scheme amendments, such as reducing the density and height of development, and retaining the majority of identified heritage features.
- Council considered the Advisory Committee's report at its meeting of 28 January 2014 and resolved to:
 - Continue to implement the heritage recommendations and progress Amendment C124 through to completion, and
 - Prepare a Memorandum of Understanding, to be entered into with the Moonee Valley Racing Club and transport agencies, that prescribes a way of working together to achieve an outcome.
- At its meeting of 22 April 2014 Council resolved to write to the Minister for Planning requesting he prepare, adopt and approve Amendment C124 under Section 20(4) of the *Moonee Valley Planning Scheme*. The request was made on 29 April 2014.
- Council prepared a draft Memorandum of Understanding (MOU) in May 2014, and attempted to initiate discussion with the MVRC in relation to it. However, the MOU could not be finalized following discussions with the MVRC.
- On 23 August 2014, the Premier of Victoria publicly announced that Amendments C120 and C124 had been approved by the Minister for Planning.
- Council has maintained a position that further information in relation to the impacts of the proposal on the surrounding area is required prior to approving any planning controls for the site.
- Amendments C120 and C124 were officially gazetted on 25 September 2014 and now form part of the Moonee Valley Planning Scheme.

Advisory Committee Report Findings

The report from the Advisory Committee was received by Council on 19 December 2013. It contains a number of recommendations. Some of the key recommendations are outlined below:

- Including the whole of the MVRC site within the Heritage Overlay, with the exception of the proposed residential area (Wilson/Victoria Street area) to the north-east of the site.
- Preparing a Conservation Management Plan and Incorporated document, prior to adoption of the Heritage Overlay.
- Reducing the total number of dwellings on the 'surplus land' by 20 per cent from the 2,500 proposed in the Master Plan.
- A maximum preferred height of 20 storeys, with preference for lower heights outlined in the ACZ.
- Support for development in the north-east corner of the site of around four, six and nine storeys.
- Acceptance of the position of the grandstand, not only in terms of its location with regard to the track and the finishing straight and winning post, but also in terms of its setback from Wilson Street.
- Changing the proposed grandstand pedestrian access from Wilson Street to Thomas Street for use at all race meetings and other events and functions.
- The Committee agreed there would be merit in preparing a Transport Assessment and Management Plan and an Integrated Transport Plan.
- Revision of the schedule of the ACZ and SUZ to better reflect Environmentally Sustainable Design measures.
- Provision for one parcel of 5,000 sqm for a local park, and an additional amount of 2,000 sqm for smaller local parks for gathering spaces.
- Provision of a financial contribution or off-site improvements to structured open space (sporting facilities).
- Development contributions of \$6,000 per dwelling.
- Inclusion of a requirement to provide five per cent of the development as affordable housing.
- Incorporation of a new Precinct J that includes all the surplus land to the west of the (realigned) Racecourse area into the *Moonee Ponds Activity Centre Structure Plan*.
- Amending the Activity Centre Boundary to exclude the land proposed to be retained for the Racecourse and the north-east residential area.
- Applying the SUZ to the part of the site that will predominately remain in operation as the Moonee Valley Racecourse.
- Applying the MUZ to the proposed residential development in the north-east corner of the site.
 - Applying a Design and Development Overlay (DDO) to the MUZ area.

- Updating the Schedule to the Activity Centre Zone for the area proposed to be developed in the western part of the site.

Council resolution following release of the Advisory Committee Report

In summary, Council resolved at its meeting on 28 January 2014 to:

- Prepare an MOU to be entered into with the MVRC, Vic Roads and Public Transport Victoria, which outlines a process to consider and, as appropriate, act on the Advisory Committee's recommendations.
- Endorse the recommendations of the Advisory Committee in relation to the location of the zones across the site, with the exception of the Mixed Use Zone to the north-east corner of the site, with the General Residential Zone preferred by Council.
- Work with the MVRC and Advisory Committee to determine the final version of the ACZ, SUZ and DDO schedule to apply to the land, with some changes.
- Endorse the recommendations of the Advisory Committee in relation to the Heritage Overlay and to liaise with the MVRC in relation to the final version of the Conservation Management Plan and Incorporated Plan (Council has since adopted the Conservation Management Plan and Incorporated Plan for the site on 22 April 2014).

Discussion

Approval of Amendments C120 (Moonee Valley Racecourse redevelopment) and C124 (Heritage Overlay)

On 23 August 2014, the Premier of Victoria publicly announced that the Minister for Planning had approved Amendments C120 and C124 to the Moonee Valley Planning Scheme.

Amendments C120 and C124 were officially gazetted on 25 September 2014, and now form part of the Moonee Valley Planning Scheme.

Amendment C120 makes the following changes to the Moonee Valley Planning Scheme:

Western Land

- Introduces the Comprehensive Development Zone- Schedule 1.
- Introduces a Comprehensive Development Plan as an incorporated document.

Racecourse Land

- Amends the Special Use Zone – Schedule 2 that currently applies to the racecourse area.

North-East Land

- Rezones the north-east area to the Mixed Use Zone – Schedule 2.
- Applies the Design and Development Overlay – Schedule 12.

Details of each of the controls and their potential impacts are outlined in the following section to this report.

Amendment C124 makes the following changes to the Moonee Valley Planning Scheme:

- Applies the Heritage Overlay (HO379) to the entire site with the exception of the north-east corner.
- Includes the Moonee Valley Racecourse Conservation Management Plan, April 2014 as a reference document.
- Introduces the Moonee Valley Racecourse Incorporated Plan: Conservation Policy and *Permit Exemptions* as an Incorporated Document.

Appendix A - (separately circulated) contains a brief summary of the key recommendations of the Moonee Valley Racecourse Redevelopment Advisory Committee (set out under the headings of their report) and a comparison to the final version of Amendments C120 and C124, as gazetted by the Minister for Planning on 25 September 2014.

Whilst the Amendment C120 facilitates development on the site, ultimately there is further work to be undertaken prior to any planning applications being approved for the site. In particular, resolution of the traffic and transport matters is required. This matter is largely the responsibility of the MVRC to progress, in conjunction with the various stakeholders, and is a requirement of the CDZ for the site.

Below is a discussion of the approved planning controls and, where relevant, an analysis against the recommendation of the Advisory Committee.

Comprehensive Development Zone – Schedule 1 (CDZ1) (Western section of the site – residential and mixed use development)

The gazetted C120 has adopted the recommended general layout and segregation of the zone/overlays as recommended by the Advisory Committee, however notably has replaced the ACZ with CDZ and associated incorporated plan.

The Advisory Committee acknowledged that the Moonee Valley Racecourse forms part of the Moonee Ponds Activity Centre, and recommended that the ACZ is the preferred control for land within the Activity Centre. Council is still awaiting gazettal of Amendment C100 that would facilitate the ACZ for the remainder of MPAC.

The CDZ applies to the western section of the MVRC site. It facilitates the majority of future development on the site, and the highest buildings on the site.

The CDZ allows for a range of uses in accordance with a comprehensive development plan incorporated into the Moonee Valley Planning Scheme.

Building Heights - CDZ

Specified within the zone is a preferred maximum building height of up to 20 storeys in precinct 1E, as shown in Figure 1. However, it is interesting to note that on the following page of the CDZ Table 1 – Building Heights allows heights up to 68 metres in one precinct. The heights shown in Table 1 exceed the heights shown in storeys in Figure 1, and allow for a far greater number of storeys. The heights are not mandatory.

The Advisory Committee provided a recommended Precinct Plan in their report to assist in articulating their preferred building heights for the site **Appendix H** - (separately circulated). These building heights have now been exceeded by the gazetted CDZ.

The table below is a summary of the Advisory Committee’s recommended heights, when compared to the preferred maximum heights in the approved CDZ.

Committee Report		CDZ	
Precinct	Height (m)	Precinct	Height (m)
9A	11 metres	1A	20 metres
9B	20 metres	1B	34 metres
9C	32 metres	1C	54 metres
9D	14 metres	1D	20 metres
9E	50 metres	1E	68 metres
9F	32 metres	1F	54 metres

Figure 1 – Precinct Map from CDZ outlining Preferred Maximum Building Heights (in storeys)

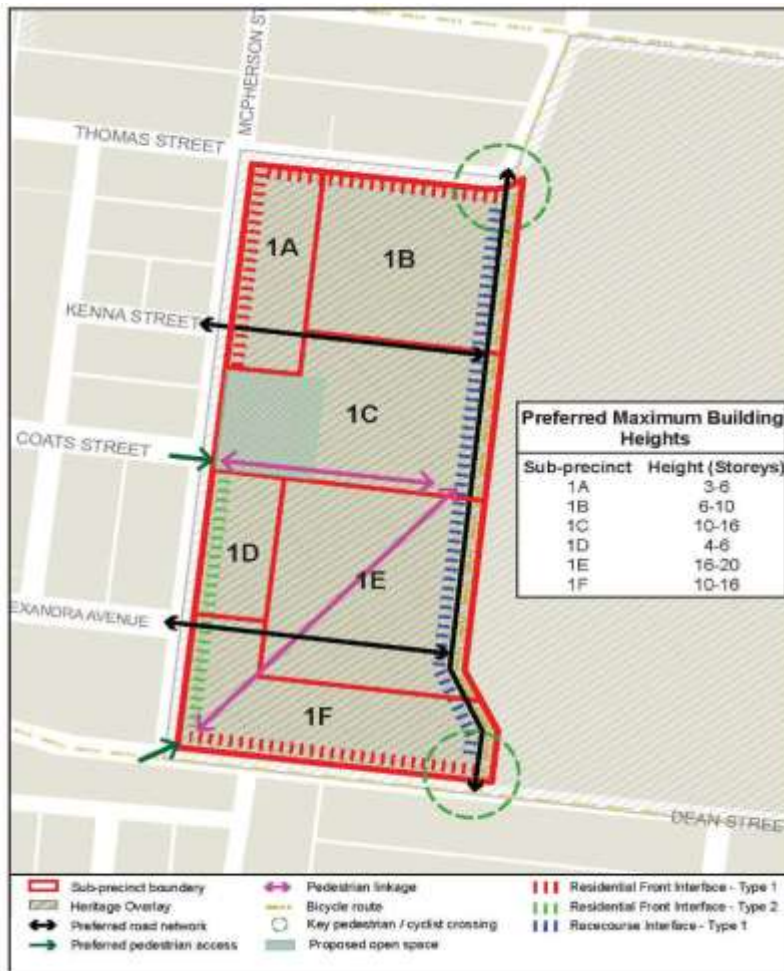


Figure 2 – Table 1 from CDZ outlining Preferred Maximum Building Heights (in metres)

Table 1 – Building Heights

Sub-precinct	Preferred Maximum Building Height (excluding basement)
1A	20 metres
1B	34 metres
1C	54 metres
1D	20 metres
1E	68 metres
1F	54 metres

For the purposes of this schedule, the preferred maximum building height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50 percent of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise overshadowing of neighbouring properties and public spaces.
- The equipment does not extend higher than 3.6 metres above the Preferred Building Height as specified in Table 1 of this schedule.
- The equipment is designed and screened to the satisfaction of the responsible authority.

Land Uses and Notice and Review Rights – CDZ

A number of uses may be considered in this zone, provided they are not located within sub-precincts 1A and 1B. Permit required uses include a hotel, function centre, dry cleaners, supermarket and tavern.

It is specified within the CDZ schedule that any application for buildings and works are exempt from notice and review requirements if they do not exceed the preferred maximum building heights, meet other precinct requirements and are generally in accordance with the *Moonee Valley Racecourse Residential and Mixed Use Comprehensive Development Plan*.

An application for subdivision and land use are also exempt from notice (excluding for a Hotel, Place of Assembly or Tavern).

In some cases the Heritage Overlay that applies to the site will trigger notice and review rights, regardless of the exemptions listed in the CDZ.

Incorporated Plan (Comprehensive Development Plan)

The CDZ is tied to an incorporated plan (in this instance called the *Moonee Valley Racecourse Residential and Mixed Use Precinct – Comprehensive Development Plan – July 2014*).

The Comprehensive Development Plan sets out high-level guidelines for the future development of the site.

Being an Incorporated Documents it means that any future changes to this high-level plan will require a planning scheme amendment (making it relatively inflexible). In the absence of the ACZ the CDZ is considered to be a suitable substitute zone. However the detail in the CDZ and the Moonee Valley Racecourse Residential and Mixed Use Precinct – Comprehensive Development Plan – July 2014) is in some cases very broad and/or not in accordance with previous Council decisions for the site.

The Advisory Committee provided an Indicative Plan in their report **Appendix I** - (separately circulated) of how its key findings and recommendations could fit together, demonstrating what they ultimately recommended. The plan integrated the key findings of the Advisory Committee with its recommendations about retention of key features that have social and cultural value, including significant trees.

The Indicative Plan has formed the basis for the layout in the CDZ as approved by the Minister for Planning. It amended the street and block pattern proposed by the MVRC.

It is considered that the approved layout in the CDZ is superior to that which was provided by the MVRC at the Advisory Committee hearing. It has recognised some of Council's key concerns, in that the revised layout relocates the open space to a location that will allow it function better, and can better facilitate the retention of some of the heritage features on the site.

The revised layout within the Incorporated Plan will still retain Coats Street as a main through fare, however introduces a diagonal pedestrian linkage to Dean Street.

Information Requirements

There are a series of pre-requisite information requirements that must accompany any application for buildings and works. These include:

- Waste Management Strategy;
- Staging Plan;
- Transport Assessment and Management Plan;
- Integrated Transport Plan;
- Serviced Engineering Infrastructure Plan;
- Environmental Sustainable Design Plan;
- Stormwater and Drainage Plans;
- Heritage Impact Statement; and
- Construction Management Plan.

In particular, the Staging Plan and the Transport Assessment requirements are worth further discussion.

- Staging Plan

A staging plan is required to be provided that outlines the proposed stages of development, and when key components including infrastructure, roads, access ways and parks are to be provided. It is also required to outline how remaining sub-precincts will be managed in the interim, and the staging of non-residential development. This will be an important element as this will have to demonstrate to Council how development will occur over the whole site and inform the preparation of other plans.

- Transport Assessment and Management Plan and Integrated Transport Plan.

A permit cannot be granted for use, development and/or subdivision of the whole or any parts of the precinct until a Transport Assessment and Management Plan and Integrated Transport Plan are prepared to the satisfaction of the responsible authority, VicRoads and Public Transport Victoria.

The Transport Assessment and Management Plan and Integrated Transport Plan must be based on an assessment of the likely transport impacts of the proposed full development of the whole of the precinct, recognising the staged development potential of the precinct over a 15 to 20 year timeframe.

It will be expected that Council will work closely VicRoads and Public Transport Victoria in the consideration of the various Transport Plans. Particular attention will be given to the off-site impacts of the development proposal, in terms of traffic generation, vehicle movements in the surrounding streets and arterial roads, and impacts on public transport.

Council officers consider that the plans should also consider the impacts of the East West Link freeway project, which will have on and off ramps at Ormond/Brunswick Road. This information was not provided to the Advisory Committee. Information provided at the East West Link Assessment hearing by the Linking Melbourne Authority, indicate that there will be an increase of at least 30 to 40 percent in traffic as a result of the East West Link off ramp at Ormond Road.

Development contributions

In light of the magnitude of the development and need to provide adequate services for the future population on the site, specific requirements in relation to developer contributions have been outlined within the CDZ schedule. This requires that before a permit is granted for any use, development or subdivision within the CDZ area, the owner of the land must enter into an agreement to the satisfaction of the responsible authority under Section 173 of the *Planning and Environment Act 1987*.

This will allow for the provision of cash and land contributions up to the value of \$6,000 per dwelling.

The contributions are to comprise the following:

- A public open space contribution in the form of a single park equivalent to 5,000 square metres, and additional open spaces up to 2,000 square metres.
- A financial contribution equivalent to the construction of 2 full sized AFL/Cricket playing fields, including lights and car parking.
- A financial contribution equivalent to the construction of a 500 square metre sporting pavilion.
- Delivery/upgrade on-site or off-site for physical and community infrastructure, having regard to the demand generated by the anticipated additional population within the precinct, including:
 - Contribution towards or provision of public art on the site.
 - Financial contributions equivalent to 30% of the construction cost of a Multi-Purpose Community Facility on-site (based on a 500 square metre facility)

- Any identified transport mitigation measures and infrastructure identified in the Integrated Transport Plan.

It is important to note that development contribution requirements are not included within the MUZ area.

The timing for delivery of infrastructure would be at agreed trigger points, which are to be based upon the release of residential lots. Once a staging plan has been agreed, Council will be in a position to consider the requirements and implementation of developer contributions. This will take into account the range of infrastructure service delivery needs that the development will generate.

Special Use Zone – Moonee Valley Racecourse site (grandstand and operations)

The Special Use Zone effectively allows the revised track layout and location of the new grandstand adjacent Wilson Street.

There is a requirement for an event management plan to be prepared for non-racing events where the capacity is expected to exceed 5,000.

The main pedestrian entrance to the grandstand is to be from Thomas Street.

An application for building and works must be accompanied by any Master Plan approved for the site. The mechanism for the preparation and approval of the Master Plan is not articulated. It is important to note that there is no requirement for a master plan in the CDZ or MUZ areas. The CDZ relies only on the Incorporated Plan.

There is a permit requirement for a Place of Assembly and an event management plan to be prepared for non-racing events, where the capacity is expected to exceed 5,000. In addition any application must be accompanied by a:

- Staging Plan,
- Serviced Engineering Infrastructure Plan,
- Environmental Sustainable Design Plan and
- Construction Management Plan.

An Integrated Transport Plan for the Racecourse site is also required. This differs slightly from the CDZ and requires that it is to include:

- Upgrades or modifications to surrounding roads, mainly Wilson and Dean Streets, including widening to improve pedestrian and bicycle movements to and from Moonee Ponds Creek Trail, and signalisation at the intersection of Wilson Street/Juliet Street/Racecourse site access;
- Any impacts from the proposed East West Link; and
- Provision for continuing monitoring and review of the implementation of the plan.

Mixed Use Zone (Residential development in the north-east corner of the site)

The North-East section of the MVRC site (Wilson Street/Victoria Street Precinct) has been rezoned to a Mixed Use Zone.

The purpose of the Mixed Use Zone is to:

- *Provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality;*

- *To provide for housing at higher densities; and*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*

A permit is required for the construction or extension of two or more dwellings on a lot under this zone.

A planning permit for any use, buildings or works is exempt from all notice and review requirements of the *Planning and Environment Act 1987*.

As mentioned above, the MUZ does not specify a requirement for any developer contributions.

Design and Development Overlay – Schedule 12 (DDO12) (Residential development in the north-east corner of the site)

The DDO12 applies to the same area as the Mixed Use Zone.

DDO12 is divided into two precincts, DDO12-1 (Precinct 1 – Victoria/Wilson Street West) and DDO12-2 (Precinct 2 – Victoria/Wilson Street East).

The Schedule indicates that in DDO12-1 building height should not exceed 20 metres.

In DDO12-2 the building height should not exceed 29 metres. See the map below for the heights specified in the DDO schedule.

In both precincts the schedule also stipulates that buildings should have a setback of a minimum of 3.0 metres to the street up to a height of 12 metres (4 storeys). Elements above this height should be set back further.



Consultation

Formal exhibition of the proposed planning scheme amendment was undertaken by the Department of Transport, Planning and Local Infrastructure (DTPLI). Exhibition was from 29 July 2013 to 6 September 2013.

DTPLI undertook direct mail out to owners and occupiers of properties within a couple of streets distance from the racecourse site.

Council undertook further notification to approximately an additional 4,600 owners and occupiers within Moonee Valley. Two community information sessions were held at the Clocktower Centre on Sunday 11 August and Thursday 15 August 2013.

The Advisory Committee process allowed all submitters an opportunity to be heard at the Public Hearing if they chose to do so.

Once the Advisory Committee report was released Council made the report available to the public within 24 hours of receiving it. An email was sent to all submitters and people registered to receive updates on 20 December 2013 advising them of the report.

The Advisory Committee recommended that the two Amendments proceed to the Minister, when finalised, for him to approve them in accordance with Section 20(4) of the *Planning and Environment Act 1987*.

There has been no further consultation proposed.

The Minister for Planning approved the two amendments with no further consultation or prior notification of Council.

Council continues to keep the community informed of the process by sending out regular email updates and keeping the website updated with relevant information.

Implications

1. Legislative

The process for the consideration of Planning Scheme Amendment requests (Part 3 of the Act), and the Advisory Committee process (Section 151 of the Act) is governed by the *Planning and Environment Act 1987*.

The Minister for Planning has the power to approve an amendment to a local planning scheme.

There are no Human Rights Charter implications as a result of this report.

2. Council Plan / Policy

Changes to the Moonee Valley Planning Scheme primarily relate to Strategic Objectives from *Theme 3: Sustainable Living* of the Council Plan 2013-2017, specifically:

- Strategic Objective 1 – Ensure there is clear direction for growth and proactive management of development in the City.
- Strategic Objective 2 – Facilitate the provision of a broad range of safe, accessible and sustainable transport modes across the municipality.

- Strategic Objective 3 – Encourage housing development that is environmentally sustainable and caters for our diverse existing and future population.

Council has assessed the proposal against relevant Council policy documents and strategies including:

- *Local Planning Policy Framework.*
- *Moonee Ponds Activity Centre Structure Plan, 2010.*
- *Moonee Valley Housing Strategy, 2010.*
- *Integrated Transport Plan, 2008.*
- *Walking and Cycling Strategy, 2012.*
- *Public Open Space Strategy, 2009.*

In addition there are a range of State government policy documents, strategies and legislation that are relevant to this proposal.

The report from the Advisory Committee lists the documents that are relevant to the assessment of the proposal.

3. Financial

Council has invested a considerable amount of resources into the assessment of the proposal, including consultation and representation at the public hearing.

To date, Council has spent at least \$800,000 on this proposal. The majority of these costs are associated with consultants and legal fees. The finances for the proposal are allocated within the Strategic Planning budget.

4. Environmental

Environmental impacts as a result of the proposal are considered in the assessment of the proposal, and detailed in the Advisory Committee's Report.

Conclusion

The gazettal of Amendments C120 and C124 essentially now position the MVRC to be able to lodge applications for planning permits to redevelop the site. If the applications are within the parameters outlined with the approved planning controls for the site there will be minimal requirements for these applications to undergo public notification in accordance with Section 52 of the Planning and Environment Act.

At this stage Council remains the responsible authority in respect to assessing future planning permit applications on the land.