

Yarra Ranges Planning Scheme

Amendment C193

Lilydale quarry

VPA Projects Standing Advisory Committee

Expert Planning Evidence

Rob Milner

May 2021

instructed by

Harwood Andrews lawyers

on behalf of

Department of Transport – Victorian Government



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1. INTRODUCTION

1.1. Purpose

- (1) I have been instructed by Harwood Andrews, lawyers, on behalf of the Victorian Department of Transport (**DOT**) to consider and prepare a report upon the planning merits of Amendment C193 to the Yarra Ranges Planning Scheme (the **Scheme**) which provides for the rezoning of the 143 ha of the former Lilydale quarry (the **Site**) (Figure 1) from a Special Use Zone to the Comprehensive Development Zone and for the incorporation of a site specific master plan into the Scheme.
- (2) DOT is a stakeholder and a referral authority under the terms of the amendment because the amendment advances proposal that may give rise to changes to the Principal Public Transport Network (PPTN), and the establishment a new station on the Site.
- (3) DOT made a submission to the exhibited amendment expressing concerns regarding:
- The merit of including the Lilydale quarry project in the VPA Fast Track Program,
 - The inability to assure that a station can be established on the Site and therefore the consequential impacts upon transit orientated development as the basis of the comprehensive development plan.
 - The inclusion of the Maroondah Highway frontage commercial / mixed use development because of access constraints associated with the arterial road.
 - The widening of the Mooroolbark Bridge.
- (4) In this evidence I do not address the latter points as they are beyond my area of expertise.

1.2. Considerations and assumptions

- (5) In preparing this report I have considered, all the documents referenced in the body of this document.
- (6) For the sake of brevity, I do not summarise all the strategic planning policy context but draw attention to relevant matters as appropriate in the body of this evidence.
- (7) This evidence presumes that the VPA Projects Standing Advisory Committee (**SAC**) has familiarised itself with the exhibited amendment including the incorporated document and would not be assisted by a fulsome summary of that material.
- (8) The principal attributes of the amendment provide for:
- A new local site and proposal specific policy,
 - The rezoning of the land to the Comprehensive Development Zone (**CDZ1**) and inclusion of a new schedule titled *Former Lilydale Quarry – Comprehensive Development Plan*,
 - The application of a Public Acquisition Overlay over part of the Site to enable the acquisition of land for the widening of Mooroolbark Road,
 - Relevant amendments to those provisions of the scheme that address the Yarra Valley and Dandenong Ranges Regional Strategy Plan 2020,
 - Consequential amendments to the relevant zone and overlay maps.
 - The incorporation of the Former Lilydale Quarry Development Plan October 2020, (**CDP**) as referenced in the proposed Schedule to the CDZ1.

1.3. Scope and structure of the evidence

(9) This evidence:

- is confined to the macro land use and transport matters arising from the inclusion of a potential station in the amendment documentation,
- evaluates the strategic policy justification for the inclusion of the station and its implications for the manner and intensity of development envisaged for the Site,
- assess the implications of the absence of a government commitment to establish a station on the Site,
- advances recommendations to change the exhibited amendment and incorporated document to account for the implications and conclusions derived from the above evaluation and assessment.

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1.4. Witness Statement

(10) An Expert Witness Statement and curriculum vitae for Robert Milner are detailed at **Appendix 1** and **Appendix 2**.

2. STRATEGIC JUSTIFICATION

2.1. A master plan appropriate for incorporation?

- (11) The Former Lilydale Comprehensive Development Plan October 2020 (Figure 2) advances a master plan that divides the Site into four precincts and places a Station on the existing Lilydale rail line as part of Precinct 4, the *Urban Core* (Figure 3).

The Urban Core will deliver vibrant higher density transit orientated development focused around a potential future station and an urban plaza, establishing opportunities for living and working within a walkable catchment of the station.

- (12) The plan is supported by a series of plans/strategies/frameworks/agreements addressing various aspects of the implementation and management of land use and development.
- (13) The strategic question addressed by this evidence is whether it is appropriate to incorporate into a planning scheme a master plan and planning provisions that are conceived around a railway station and transit orientated development and upon which there is no commitment or assurance that the station can or will ever be delivered.

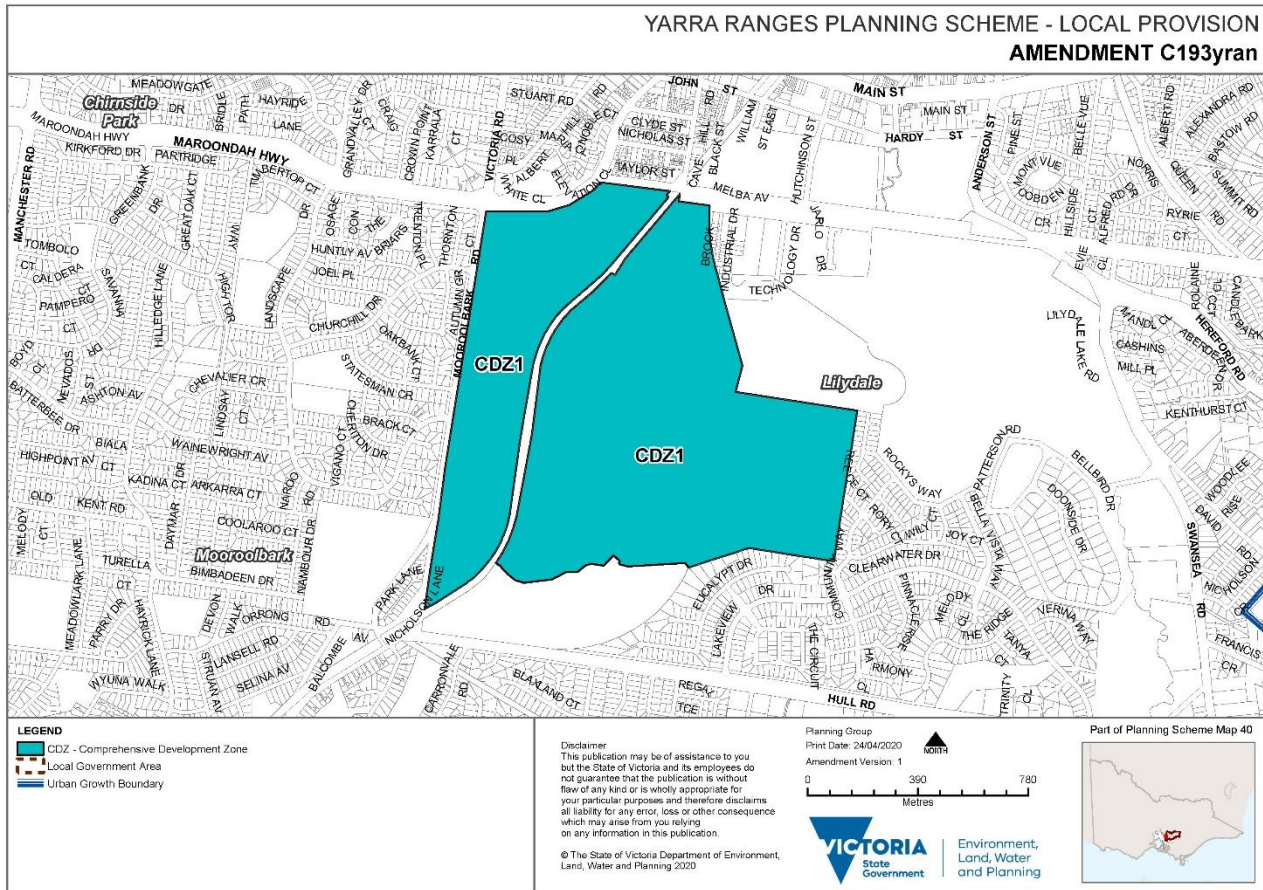


Figure 1 Amendment C193



Figure 2 Indicative Framework Plan

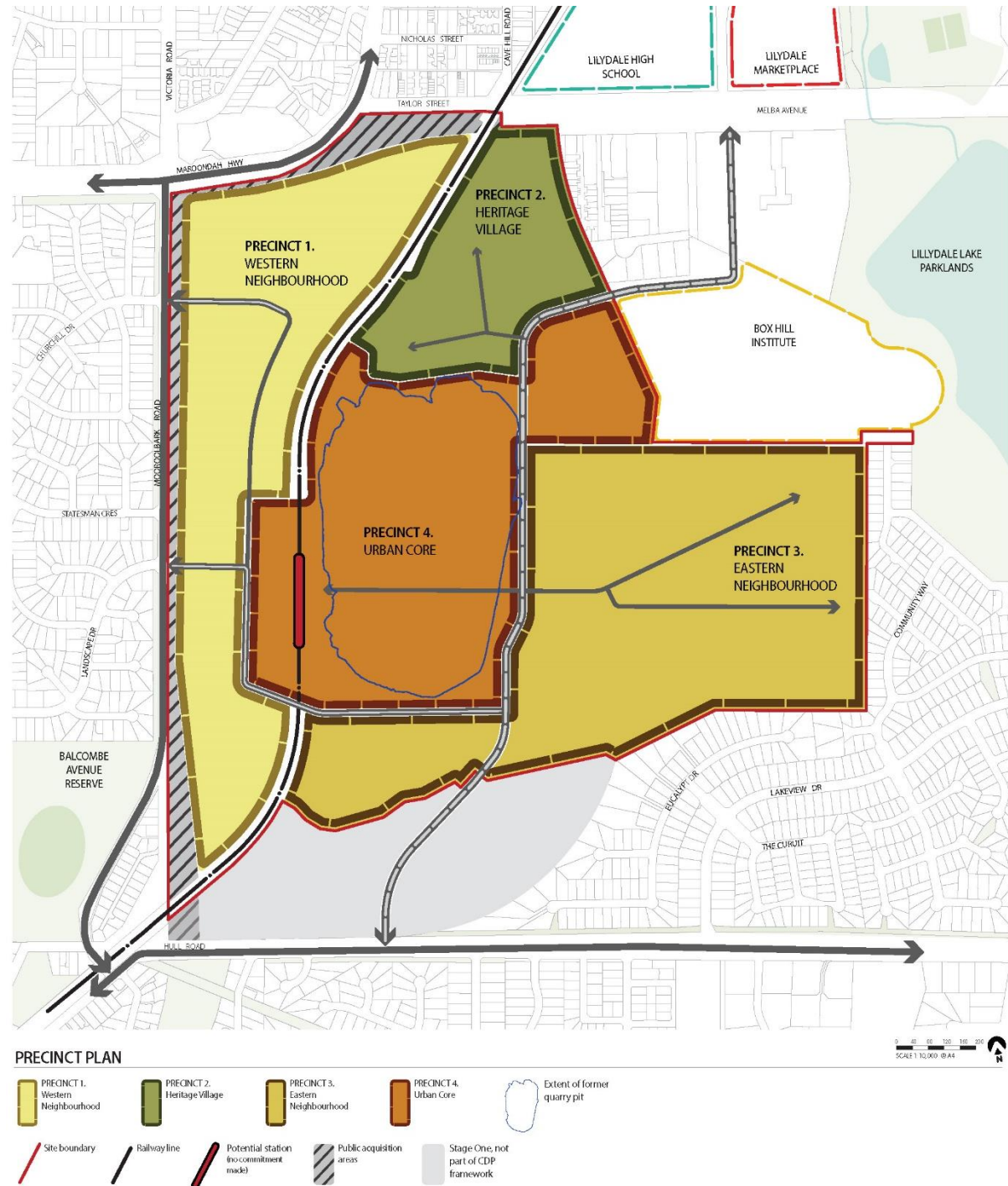


Figure 3 Precinct Plan

2.2. The legislative and strategic context

(14) The relevant context of legislation, planning schemes, adopted policy and plans advances a series of principles, objectives and strategies that assist inform the above question.

- The relevant legislation to this matter is the Planning and Environment Act 1987 that interfaces with the Transport Integration Act 2010.
- The above legislation is supported by the Simply Connected Journeys -Our Strategic Plan 2019-2023, Plan Melbourne 2017-2050, the Public Transport Guidelines for Land use and Development (2018) and the policy / provisions of the Yarra Ranges Planning Scheme.

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(15) Collectively they advance the guiding principles that:

- The use and development of land will be conducted in an orderly manner,
- Public utilities and facilities will be provided in an orderly manner.
- Orderly development and delivery of infrastructure will be informed by relevant plans that are hierarchical in scope, order and the level of detail they address,
- Orderly development will have appropriate regard to the sequence of development, and
- Land use and transportation will be integrated in an orderly manner.

(16) Relevant to the above questions are the following three objectives of planning¹ in Victoria that seek:

- **To provide for the fair, orderly, economic and sustainable use and development of land, and**

¹ Section 4 – Planning and Environment Act 1987

- *To protect public utilities and other assets and enable the **orderly provision and coordination of public utilities and other facilities** for the benefit of the community.*
- **To facilitate development that is in accordance with the above objectives** (and other objectives not directly relevant to this matter).

(17) In addition to the principle of orderly planning and development are the following relevant expectations.

- Underutilised land and urban renewal opportunities in the metropolitan area will be identified, planned and brought forward as “a pipeline of transit orientated development” and redevelopment opportunities that deliver mixed use neighbourhoods with high levels of amenity and connectivity for future residents², Lilydale quarry presents as one of those opportunities.
- Comprehensive planning for new urban areas will be conducted as sustainable communities that offer high quality, frequent and safe local regional public transport and a range of local activities for living, working and recreation.³
- The urban structure and the further development of metropolitan Melbourne will be conceived around the hallmarks and principles of a 20-minute, walkable neighbourhood that gives access to a broad and diverse range of services, facilities, public transport and employment opportunities,
- Activity centres with good access to public transport will be built up and deliver a comprehensive range of uses and services including higher densities of dwellings⁴.

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² *Plan Melbourne 2017-2050* Direction 1.3, Policy 1.3.1 and Action 16 in the accompanying *Implementation Plan*

³ Clause 11.02-2S YRPS.

⁴ Clause 11.03-1S YRPS

- New development and investment opportunities are to be created on the existing and planned transport network.⁵ This initiative includes an expectation that a number of new railway stations will be built over the next decade particularly in growth areas, but possibly in conjunction with urban renewal sites. The policy emphasis will be upon maximising value by taking a precinct wide approach that encourages integrated land development around stations.⁶
- A transformation of Melbourne's transport to support a more productive city, relying upon more effective use of the Principal Public Transport Network (PPTN) to provide greater certainty about land use and transport outcomes. This is expected to translate into increased diversity and density of development on the PPTN where interchanges, activity centres and the principal transport routes intersect. The policy framework acknowledges that outer suburban areas need to be better served by public transport.⁷

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2.3. Aspirational plans addressing public and private interests

- (18) Within the above context, the proposed CDP, can be appropriately characterised as an **aspirational response to metropolitan policy expectations**, principally advanced in Plan Melbourne 2017-2050 as well as a range of other matters such as environmental asset and risk management, and cultural heritage that are not addressed in this evidence.
- (19) Appropriately the CDP explores and advances a master plan concept for what might be the 'ideal' outcome arising from the redevelopment of the Site, integrating an activity centre, higher density living, mixed use development, transit orientated design, application of the 20-minute neighbourhood, sustainable transport outcomes community and recreation facilities, and heritage conservation.

⁵ Plan Melbourne 2017 – 2050 Direction 1.3, Policy 1.3.2

⁶ Plan Melbourne 2017-2050 Page 39.

⁷ Plan Melbourne 2017-2050 Direction 3.1 and 3.2, Policies 3.1.4 and 3.2.2

- (20) Except for the rail station almost without exception, all those outcomes will be privately controlled and delivered within the framework of the plan. Once the CDP is endorsed and the amendment approved, decisions as to what, when and if elements of the plan are implemented are controlled by the more detailed planning approvals process and those who own / control the land or are to be developing parties.
- (21) As an aspirational plan requiring both public and private sector delivery the plan's role is appropriately seen as a basis to explore, test, negotiate and secure outcomes that might be delivered.
- (22) I understand that over the period preceding the amendment, the potential for a station on the Site has been identified and planned by the proponent. Consultation and negotiations have taken place with the proponent, the Planning Authority and DOT but those have not advanced sufficiently to be assured that a station is either technically feasible or worthy of a commitment.
- (23) I am instructed that the feasibility of the station is influenced by tangible and practical constraints including:
- The need to fill the quarry in proximity to the station to support the commercial content of the CDP. The geotechnical implications are not fully appreciated.
 - A future station would be contingent upon a broader rail corridor upgrade,
 - The catchment implications of recently re-siting the Lilydale station closer to the quarry as an outcome of the Level Crossing Removal Program.
- (24) In summary the station concept aligns with the overarching direction of land use and transport policy but the public sector's ability or willingness to deliver it has not been established with the level of certainty that it can be reasonably assured that it will form part of the redevelopment of the Lilydale quarry.
- (25) Until there is an agreement and commitment by both public and private sectors responsible for the delivery of the key features of the plan it would not pass the threshold of orderly planning to advance planning scheme provisions and infrastructure undertakings that other third parties and the broader community are entitled to rely upon that may not be delivered.

- (26) This is particularly the case where and when the infrastructure in question underpins a considerable part of the rationale of the plan as it relates to the proposed urban structure, intensity of development and the integrated movement.
- (27) The future land use and development on the former Lilydale quarry is probably capable of being integrated into the public transport framework without a station. A station with its broader regional connection and greater capacity benefits might endow the quarry Site with a greater potential for development and benefits but it is not essential for the orderly and sustainable development of the land as bus services could provide the alternative and appropriate public transport connection.

2.4. Commitment to public infrastructure and planning for growth

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- (28) There is historical evidence supporting the above observations and approach regarding tempering the planning, use and development of land until appropriate public infrastructure and strategic justification can be assured.
- (29) The circumstances of the Wyndham Growth Area, and Box Hill activity centre are case studies.
- In the case of Wyndham there is clear evidence of a rail line being removed from planning framework in the absence of a commitment to the rail infrastructure.
 - In the case of Box Hill, which was in effect an urban renewal site, the strategic justification and public / private commitments were in place to enable the overall outcome of a station and the redevelopment of the land to occur as planned.

2.4.1. Wyndham Growth Area

- (30) The 1990 Growth corridor plan provided for the release of significant areas of land to the north and west of the established urban area Werribee and an indicative rail / transit corridor with stations to serve the expanded growth area (Figure 4).
- (31) In advancing the more detailed growth area plans and the Urban Growth Boundary in the metropolitan development strategy *Melbourne 2030* (2002), the government of the

day backed away from bold and ambitious proposals it had not committed to nor budgeted. The government deleted large tracts of land identified in the 1990's from the growth area and the associated rail infrastructure (Figure 5).

- (32) The commitment and delivery of that rail loop (the Regional Rail Link) and its associated stations was made in 2008 and detailed in *Delivering Melbourne's Newest Sustainable Communities* (2009) (Figure 6) and subsequently in the *West Regional Growth Corridor Plan* (2012) (Figure 7).
- (33) All subsequent more detailed precinct structure planning has relied upon the approved and higher order strategic framework plan to integrate activity centres with stations and those plans have influenced the location of higher density development as well as housing and employment.
- (34) A notable feature of the growth corridor plan was that it not only included stations that would be built in the short term but also identified and committed to the location of stations that would be delivered in the medium to longer term (Figure 6).

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2.4.2. Box Hill

- (35) The Box Hill Transport Centre is a further example of public-private sector coordination regarding the delivery of a station and higher density mixed use development. In that instance an agreement and commitment were made by the landowner, developer and the government to enable redevelopment and grade separation of the existing station in return for the integration of a multi modal transport interchange and shopping centre.
- (36) The planning scheme amendment enabling the orderly delivery of that project was strategically justified ahead of the site specific delivery by Box Hill being identified in policy as a major activity centre, the presence of an existing station, the commercial zoning of the land, and the partnership agreement that provided more effective land use and transport integration as well as public and private sector commitments to fund different parts of the project.

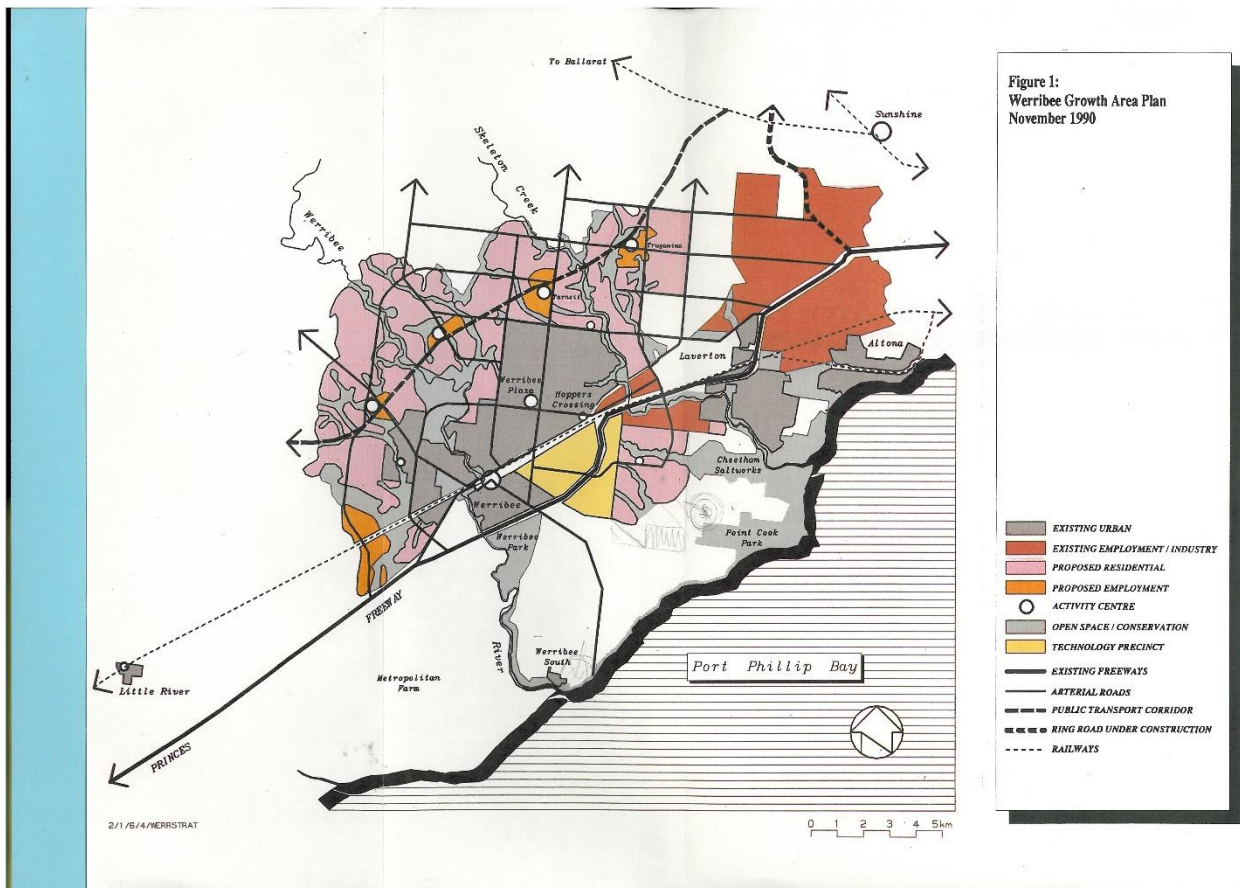


Figure 4 Werribee Growth Area Plan November 1990

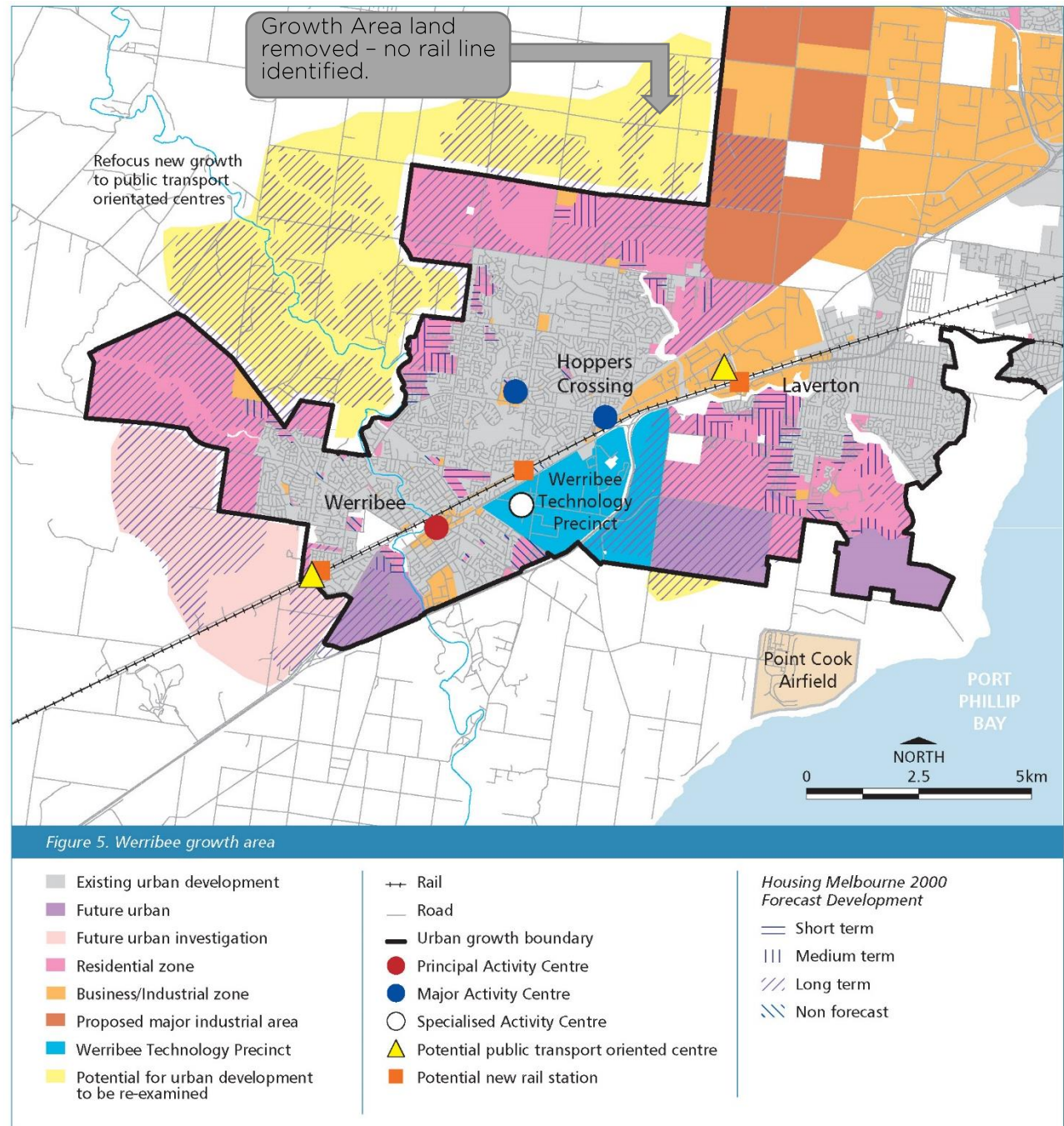
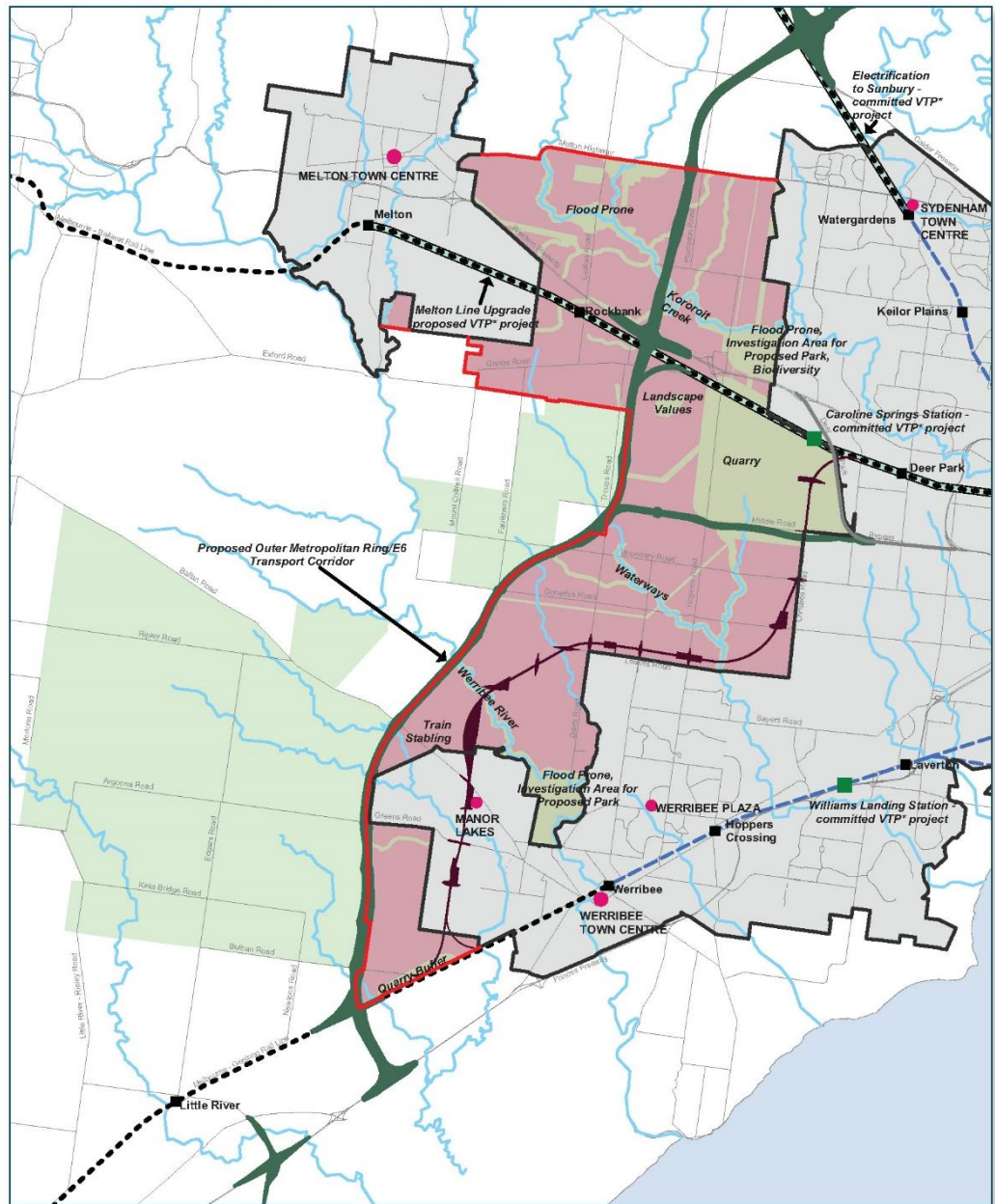


Figure 5 Werribee Growth Area

MELBOURNE'S WEST - LAND USE AND TRANSPORT INITIATIVES MAP



* The Victorian Transport Plan

- | | |
|---|--|
| Land within existing Urban Growth Boundary | Regional Rail Link - including rail/road crossing and potential stations (west of Werribee to Deer Park) Refer to individual project report for detail |
| Proposed Urban Growth Boundary | Proposed Outer Metropolitan Ring/E6 Transport Corridor - Refer to individual project report for detail |
| Significantly Constrained Land. See Project Reports | Roads |
| Land Suitable for Development | Rivers / Creeks |
| Proposed Grassland Reserve | Locality |
| Rail line - Metropolitan Service | Train station |
| Rail line - Regional Service | |



Figure 6 Melbourne West Investigation Area

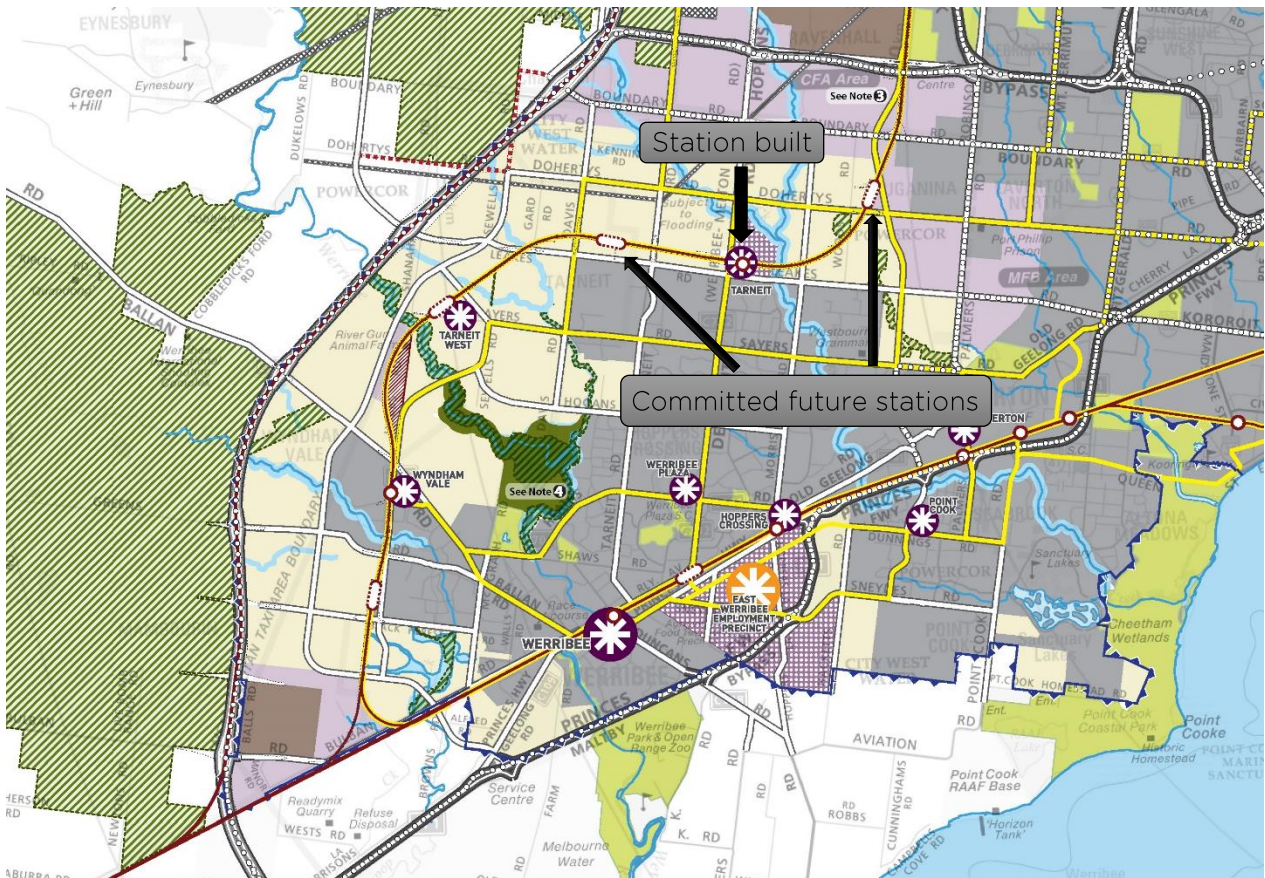


Figure 7 Extract from the West Growth Corridor Plan 2021

2.5. The strategic justification for a station at the Lilydale quarry

(37) There is no comparable, established higher order strategic support or justification upon which the station in the CDP might otherwise gain standing as a possible outcome.

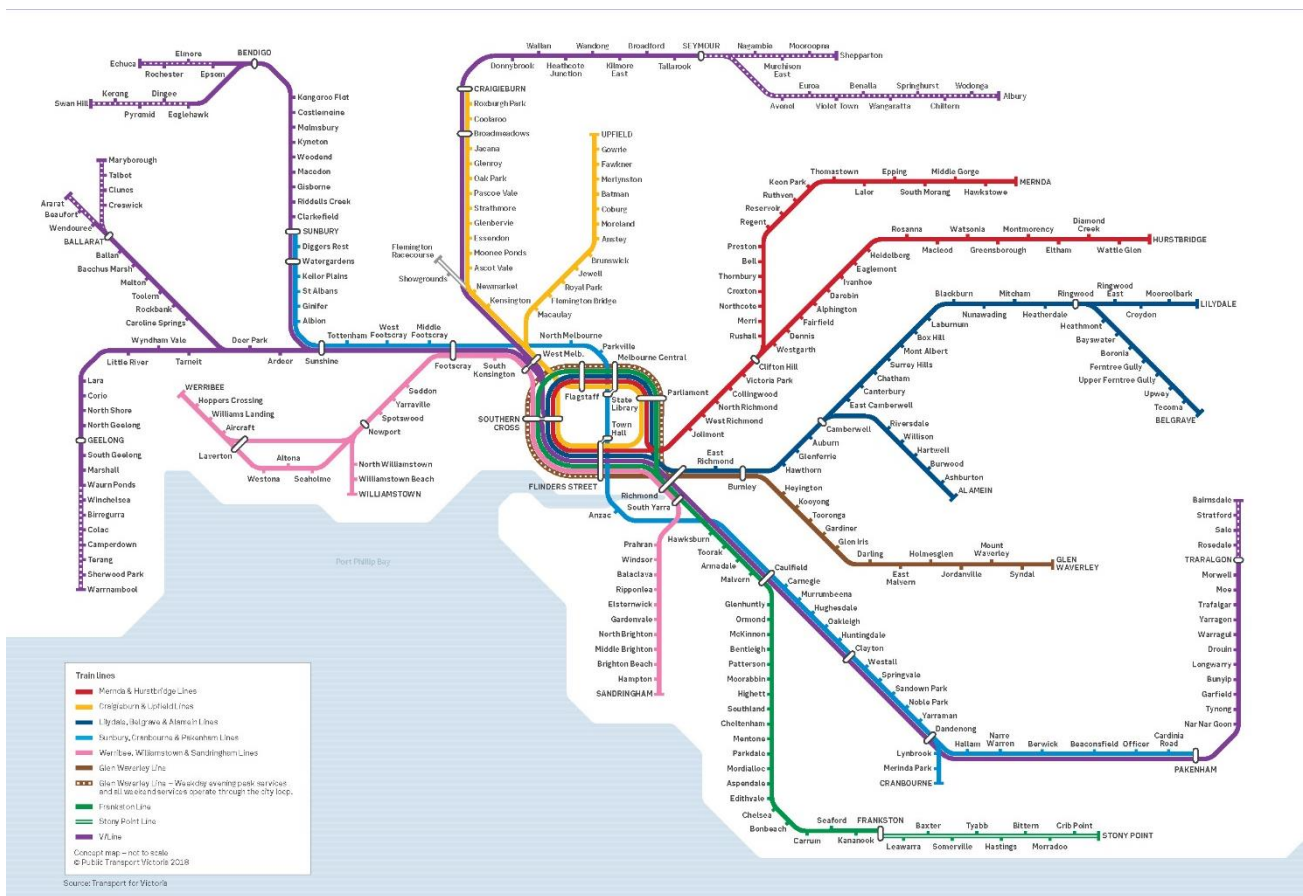
- Neither the *Victorian Transport Plan* (2008) nor the current corporate strategy for the State - *Simply connected journeys – our strategic plan 2019-2023* (DOT 2019) nor *Growing Our Rail Network 2018-2025* (DOT 2018) have identified a new station being a potential outcome at Lilydale.
- The current rail network plan for 2025 does not indicate a station at the Site (Figure 8)
- The *Improvements to the Transport Infrastructure – Committed and Potential Map 17 - Plan Melbourne 2017-2050* does not identify a new station at the Site (Figure 9).
- The reference to the Principal Public Transport Network in the planning scheme recognises the role of the Lilydale line but confines its attention to Lilydale and Mooroolbark.
- The *Yarra Ranges Planning Scheme* does not identify the quarry site within the existing or a future urban area and does not identify or suggest the prospect for a new station between Lilydale and Mooroolbark (Figure 10).

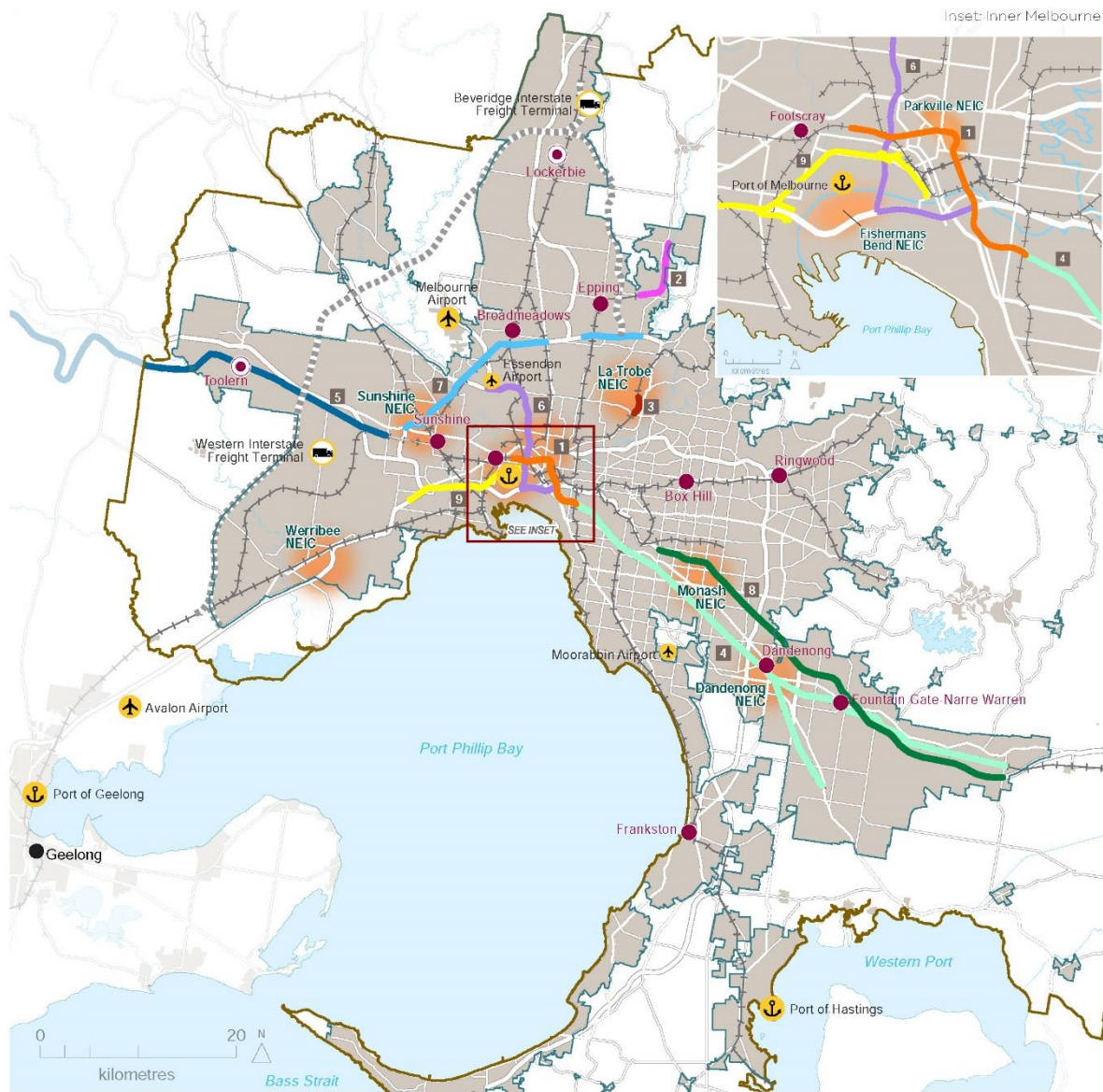
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(38) Compounding the constraints of an absence of site-specific strategic support for a new station is the implementation of another committed rail network project in close proximity.

(39) The Level Crossing Removal Program has recently resulted in a major investment in rail infrastructure in the locality and the re-location of the Lilydale Station closer toward the former quarry site.

- (40) The separation between stations and the proximity to a station are matters to be re-evaluated in determining the merits of an additional station in this locality. A further consideration is that while a theoretical housing and population density can be advanced in the planning scheme there is no assurance as to if and when that density might be attained to justify the investment in the station.





Map 17

Improvements to transport infrastructure — committed and potential

Figure 9 Improvements to transport infrastructure — committed and potential

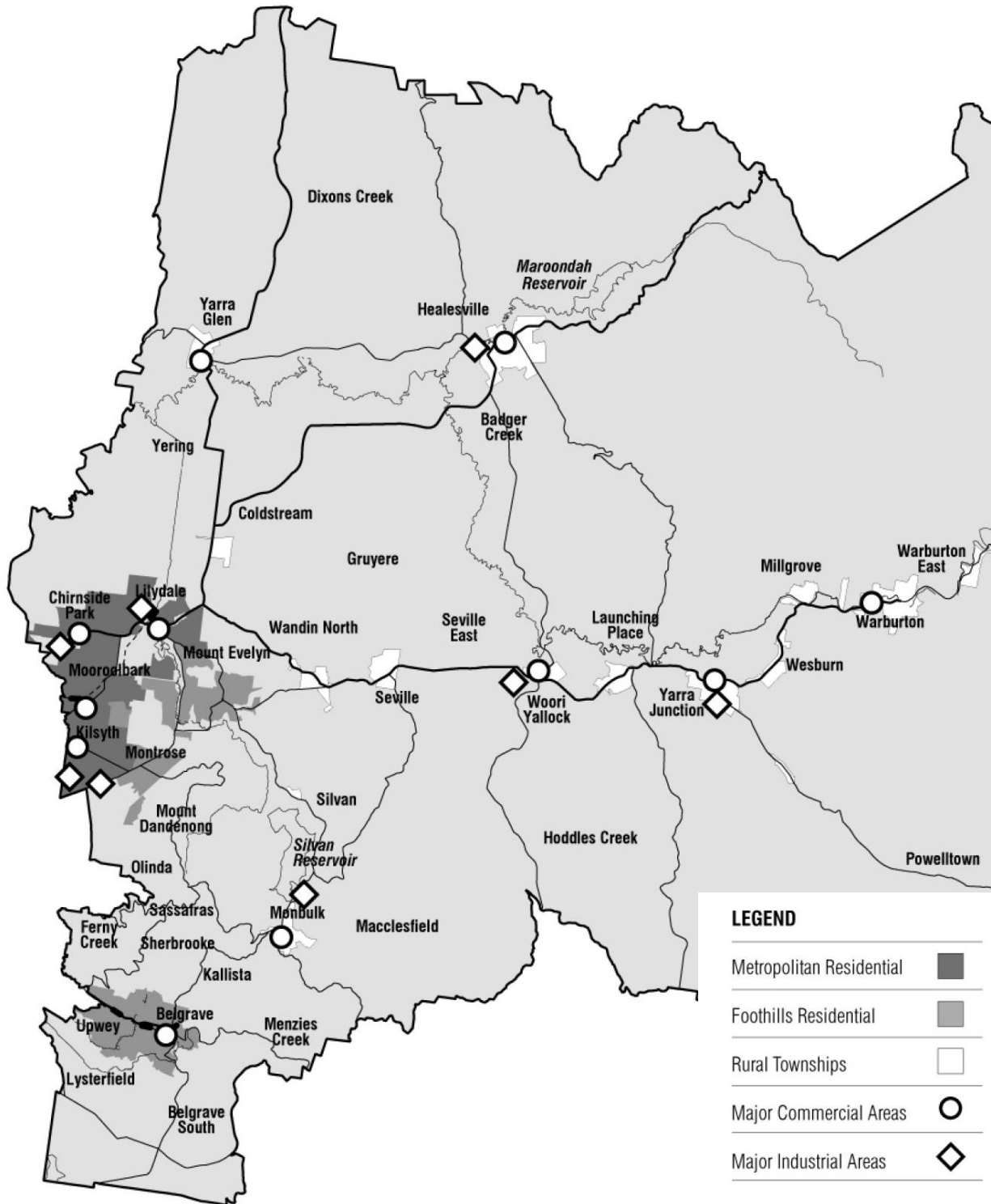


Figure 10 Urban Areas and Townships Map

2.6. Summary

- (41) I conclude that the concept of a station as part of the urban renewal of the Lilydale quarry site would attract high level alignment with metropolitan planning strategy and the broader policy expectations of the planning framework, but the necessary feasibility, viability and commitment has not been established sufficiently to enshrine the station as deliverable within the statutory framework of the planning scheme.
- (42) As such the inclusion of the Station in the CDP and the associated exhibited planning provisions is at best premature or possibly inappropriate despite its conceptual merit.
- (43) It follows that while the timely redevelopment of the Site should be encouraged and facilitated through the planning scheme it is too early to advance a development concept and masterplan that are fundamentally reliant upon a station outcome.

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3. OPTIONS AND RECOMMENDATIONS FOR C193 AND THE CDP

3.1. An alternative approach

- (44) The section of the evidence explores statutory options to progress Amendment C193 while protecting opportunities to incorporate a station if the current impediments were to be removed.
- (45) C193 and the CDP currently proceed on the basis that there is a high probability that a station is to be expected and the plan will be varied if that does not eventuate. It shows the proposed location of a station and describes it as a potential station.
- (46) Within this context I note the proponent's website for its redevelopment of the Site varies the language from potential station to proposed station.
- (47) I draw attention to this only to illustrate how the interpretation of the nominated station can be easily represented or interpreted to be a more assured outcome with consequential, and potentially inappropriate expectations, for the use and development outcome for the Site and the infrastructure that future residents and business might believe will be delivered.
- (48) As previously discussed, the station is a laudable aspiration but as represented it would not be orderly planning providing an appropriate level of certainty regarding the eventual outcome.
- (49) A more measured, orderly and prudent approach would be to advance a CDP and statutory provisions that provides for the redevelopment of the quarry site without a station, while noting that a station's feasibility is being evaluated and the CDP may be varied to include a station and its implications if a commitment eventuates.

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- (50) A key question of this approach would be whether a further amendment to the planning scheme would be required to facilitate a station-based outcome. In my opinion it would be desirable to avoid the need for an amendment given that the policy framework seeks to encourage a station as an outcome as part of urban renewal projects where it is feasible and would be funded.
- (51) A way of addressing this challenge would be to facilitate a two staged approach to planning and development with the second stage only available where there is a commitment to delivering a station on the Site.
- The master plan that would appear and be described in the CDP would provide for development of the Urban Core precinct without showing an indicative station, relying upon bus services to provide public transport to the Site. The form and content of a plan without a station is beyond the scope of this evidence. It will require the reconsideration of the structure of the movement network the mix and density of development
 - The CDP would be amended to note that if a commitment should be made to establish a station on the Site an amended urban design framework and a station precinct plan can be submitted and approved by the planning authority in conjunction with DOT providing for genuine transit orientated development and enabling a more intense use and development.
- (52) To achieve the above outcome, I recommend the following changes to the exhibited statutory provisions and the CDP.

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3.2. Recommended changes to the amendments

3.2.1. Schedule to the Comprehensive Development Zone

- (53) **The Map** attached to the Schedule should remove representation of a station.
- (54) **The purposes of the Schedule** should be changed by deleting the following purpose:

- *To create the opportunity for a transit-oriented development that encourages higher density housing within a walkable catchment of the potential future train station, local retail village and district level open space.*

The deleted purpose should be replaced by the following two purposes:

- *To create a 20-minute neighbourhood based upon a walkable catchment providing for a local retail village, public transport services, higher density housing and district level open space.*
- *To protect the opportunity to further develop the walkable catchment and deliver transit-oriented development, if a train station will be established.*

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(55) Amend the **Urban Design Framework – Precincts 2 and 4** as they apply to both Clause 3 -*Subdivision* and Clause 4 - *Building and Works* to delete reference to –“including a rail station, bus stop and commuter parking area”.

(56) Amend the corresponding provisions applying to **Design Strategy (Potential Future train Station – Precinct 4)** to read:

Urban Design Framework and Design Strategy (possible Future Station – Precinct 4).

If the Department of Transport advises that a railway station can be established on the land, an Urban Design Framework for Precinct 4 shall be prepared or amended to the satisfaction of the Planning Authority and the Head, Transport for Victoria and be generally in accordance with the Former Lilydale Quarry Comprehensive Development Plan showing a station in an agreed location and how the precinct will provide for transit orientated development.

A Design Strategy for the Station shall be prepared to the satisfaction of the Responsible Authority and the Department of Transport.

A design strategy may be submitted in the form of plans, tables and reports and must include the following.....: (The balance of the clause would remain as presented in the exhibited amendment).

3.2.2. Other provisions

(57) There would be no need to further amend the following documents:

- The proposed local policy at Clause 22.13 – former Lilydale quarry
- The schedule to Clause 51.03 Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan.

3.3. Recommended changes to the CDP

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(58) The CDP proposed to be incorporated into the planning scheme should be amended as follows.

3.3.1. Plans

(59) All plans, including the *Site Location Plan* in the CDP should remove reference and representation of a station.⁸

3.3.2. Introduction

(60) The last paragraph under the heading *1.1 How To Read This Document* should be deleted and replaced with the following.

The CDP has been developed on the basis of a 20-minute neighbourhood. If in the future a railway station will be established on the former quarry site the CDP and the Yarra Ranges Planning Scheme provide for amendments to be made to the plan showing the location and design of a station and providing for a transit orientated development.

3.3.3. Vision

⁸ I note that the Melway street directory shows a station to be located on the site – This is a matter that warrants rectification.

- (61) The reference to a transit-oriented development needs to be amended to clarify that a station does not form part of the plan but might be if it is feasible and funded.

3.3.4. Precincts

- (62) The opening paragraph of Section 3.4 - Precinct 4 – Urban Core should be revised to make it clear that the urban core will be developed as the heart of a 20-minute neighbourhood and that the precinct might be further developed as a transit orientated development if a station can be established at a later date. This will necessitate a reconsideration of the content of the plan for the urban core.

3.3.5. Implementation

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- (63) All references to development around a potential station and transit orientated development should be deleted and the document amended, as a above, to place the priority on a 20-minute neighbourhood with the opportunity to advance a transit orientated development if a station is to be provided in the future.

3.3.6. Supporting documentation

- (64) The Integrated Transport Plan should be revised to align with the above changes.

4. CONCLUSIONS

- (65) Amendment C193 to the Yarra Ranges Planning Scheme is conceived around the potential for a rail station to be established on the Site.
- (66) The feasibility and commitment to establish a station on the Site has not been established.
- (67) There is high level planning policy support to consider integrating stations with strategic urban renewal sites, however this will not occur in all cases.
- (68) The strategic justification for a rail station at the Lilydale quarry site has not been identified in any higher-level government plan, strategy, or planning scheme.
- (69) The representation of a station in the Comprehensive Development Plan and the amendment documentation has fundamentally influenced the direction, composition and structure of the planning and development of the Site.
- (70) Given the uncertainty regarding the establishment of a station on the Site it is recommended that the documentation be amended to delete reference to the station and emphasise the creation of a 20 minute neighbourhood.
- (71) It is also recommended that provisions be added to enable the plan to be amended in the future if a station can be established.

Rob Milner

May 2021

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APPENDIX 1 – WITNESS STATEMENT

EXPERT WITNESS STATEMENT

The following outlines the information requirements for expert evidence as set out in the Victorian Civil & Administrative Tribunal Practice Note PNVCAT 2 - Expert Evidence under s158 of the *Victorian Civil and Administrative Tribunal Act* 1998:

a. Name and address of the expert

Robert Milner, Principal of Kinetica. Kinetica is located at Level 25/500 Collins Street, Melbourne.

b. Expert's qualifications and experience

Robert Milner has an honours diploma in Town and Country Planning from Liverpool Polytechnic. He is a Life Fellow of the Planning Institute of Australia and a Fellow of the Victorian Planning and Environmental Law Association. Relevant experience includes:

- 8 years as a planner in local government undertaking statutory and strategic work;
- 31 years' experience in private practice with various planning and property related consultancies;
- State and National President of the Royal Australian Planning Institute; and
- A member of the Local Government and Planning Advisory Council.

Robert Milner is recognised as a leader and expert in the field of urban and regional planning. He has given evidence before the Victorian Civil and Administrative Tribunal, Planning Panels Victoria, and the Supreme Court on many occasions. A Curriculum Vitae is included at Appendix 3 to this report.

c. Expert's expertise to make the report

Robert Milner has a broad range of expertise in planning and development matters enabling him to comment on a wide spectrum of urban and rural, statutory and strategic planning issues and processes.

d. Private or business relationship between the expert and the party for whom the report is prepared

Other than a business relationship for the purpose of preparing the report, Robert Milner has no relationship with the parties.

e. Instructions that define the scope of the report

Robert Milner has been instructed by Kate Morris of Harwood Andrews, lawyers, on the Department of Transport to review the merits of Amendment C193 to the Yarra Ranges Planning Scheme.

f. The facts, matters and all assumptions upon which the report proceeds

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There are no facts, matters or assumptions upon which the report relies other than those explicitly stated in the report.

g. Documents and other materials the expert has been instructed to consider or take into account in preparing his or her report and the literature or other material used in making the report

Robert Milner has considered the documents and material contained within his briefing material and has reviewed additional documents identified in Appendix 1 and as referenced in the body of this report.

h. Identity of the person who carried out any tests or experiments upon which the expert relied in making the report and the qualifications of that person.

Not applicable.

i. A statement summarising the opinion of the expert; any provisional opinions that are not fully researched for any reason; any questions falling outside the expert's expertise; and whether the report is incomplete or inaccurate in any respect.

A summary of Robert Milner's opinion is set out in the body of the report. There are no provisional opinions contained within the report. Robert Milner has not been asked any questions which fall outside of his area of expertise. The report is complete.

j. Signed declaration

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



Robert Milner

May 2021

APPENDIX 2 – CURRICULUM VITAE



Robert Milner

Principal

Rob Milner is a respected strategic and statutory planner and a recognised leader of the planning profession in Victoria. He has had a high profile career spanning more than 40 years with extended periods of experience working for local government and in private practice. His clients have included many State government agencies (including planning, community development, justice, roads, growth areas and regional development), municipalities throughout Victoria, as well as a broad range of corporate and other private sector interests. He has a reputation for integrity, objectivity, an original style of evidence and for providing clear and fearless advice to proponents and objectors; the responsible authority; claimants and government agencies. Particular expertise is in complex and controversial projects, gaming matters, acquisitions and restrictive covenants.

Principal kinetica

Melbourne, Australia
2019 - present

Director

10 Consulting Group Pty Ltd
Melbourne, Australia
2010 - 2019

General Manager - Planning

CPG Australia Pty Ltd
1999 - 2010

Director

Rob Milner Planning Pty Ltd &
Savage Milner
1994 - 1999

Project Director

Collie Planning and Development
1991 - 1994

General Manager Town Planning

Jones Lang Wootton
1988 - 1991

City Planner

City of Box Hill
1980 - 1988

Planner

Perrott Lyon Mathieson Architects
and Planners
1977 - 1980

Planner

Kirklees Metropolitan Borough
Council, United Kingdom
1976 - 1977

Diploma in Town and Country Planning (First Class Honours)

Liverpool Polytechnic

Areas of Expertise and Experience

- Strategic studies, policy development and statutory implementation
- Expert evidence and advocacy
- Rob is regularly retained to provide expert evidence to courts, panels and tribunals on the broadest range of land use and development planning issues. He is able to evaluate and form a robust opinion on complex matters quickly and has a capacity to manage a considerable body of work in an efficient and timely manner. Rob is also an acknowledged advocate and negotiator and is regularly engaged in development approval and rezoning projects where process and relationships need to be carefully nurtured to ensure a viable and timely outcome. Legislative and planning scheme reviews and amendments
- Gaming policy and applications
- Restrictive Covenants
- Acquisition and compensation
- Organisation audits and process reviews

Rob's ability to communicate effectively among a broad range of stakeholders means that he is regularly engaged to facilitate workshops, conferences, consultation and other situations

where leadership and engagement of groups is required.

He has committed to 'giving back' to a profession that has provided him with a rewarding career. As well as contributing to the development of the Planning Institute of Australia he has acted over the last two decades in the capacity of mentor for many younger planners. Additionally, he regularly attends and gives papers at professional development forums.

Associations

- Life Fellow Planning Institute of Australia (PIA)
- Fellow of the Victoria Planning and Environmental Law Association (VPELA)
- Former State and National President of the Planning Institute of Australia (PIA)
- Member, Planning and Local Government Advisory Council (1994 - 1999)
- Deputy Chairman, Future Farming Expert Advisory Group (2009)



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