

23 February 2017

Victoria Planning Authority
Level 25, 30 Collins Street
MELBOURNE VIC 3000

Attention: Stuart Moseley

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H E A T H R I D G E
J O O N D A N N A
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S T U D I O
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C O L L I N G W O O D
V I A S M I T H S T
S O U T H Y A R R A

Level 1, 286 Ferrars Street
South Melbourne, VIC, 3205
m : 0 4 0 1 1 3 8 9 9 6
e:planning@nicheplanningstudio.com.au

Dear Mr Moseley

SUBMISSION TO THE PAKENHAM EAST PRECINCT STRUCTURE PLAN – AMENDMENT C234 TO THE CARDINIA SHIRE PLANNING SCHEME

Niche Planning Studio has been engaged by [REDACTED] who have an active interest in land within the Pakenham East Precinct Structure Plan (PSP) area, located at 155 Dore Road, Pakenham (Lot1 TP709442).

On behalf of [REDACTED] we would like to thank the VPA for the opportunity to lodge this submission to the exhibited Pakenham East PSP and associated documents.

This submission will:

- Provide a brief description of the site and relevant background information,
- List submission items for discussion and resolution with the VPA.

Accompanying this submission as an Appendix is an indicative concept plan for the site which will be referred to throughout.

- **SITE AND BACKGROUND**

[REDACTED] land interest is located at 155 Dore Road and is nominated as *Property 1* in the Pakenham East PSP (see *Figure 1* overleaf).

The site has a total area of approximately 20ha, however a little over (approximately 11ha) is located within the Pakenham East PSP area. The balance of the land is zoned Green Wedge Zone and is located outside of the PSP area and the Urban Growth Boundary that currently defines metropolitan Melbourne.

The area included within the PSP/urban area is characterised by an electrical transmission line easement which aligns east-west across the land, and an existing high-pressure gas pipeline easement which runs in a north-south orientation. The balance of the land is located outside of the easements and is generally irregular in shape. The land falls from Dore Road in the east to the Deep Creek in the west. As the land has been used for grazing, it is largely clear of vegetation and forms a larger paddock.



Figure 1 - 155 Dore Road Pakenham (Property 1)

- SUBMISSION ITEMS

Following our understanding of the site and surrounds and review of the PSP, Native Vegetation Precinct Plan (NVPP), proposed provisions and associated background reports the following matters are submitted to the VPA:

1. Future Urban Structure Plan

The overall PSP vision, objectives and future urban structure plan proposed by the PSP is generally supported. In particular, we acknowledge a deliberate approach that has been pursued in the north of the PSP area and on this landholding, where a number of site considerations and influences have been carefully balanced, including:

- The boundary between the PSP area and the green wedge land dissects larger properties in single and existing ownerships,
- The lack of a physical boundary that defines urban and green wedge land at this point (aside from zoning boundaries),
- The diagonal alignment of the transmission line easement which is located within the PSP area and results in irregular shaped developable land to the north and immediate south of the easement, and
- The need to appropriately respond to the green wedge interface to the north of the PSP area;

Having regard to the site considerations and urban/green wedge interface context as expressed above, it is acknowledged the PSP permits residential development within the transmission line easement. This approach is important particularly for the [REDACTED] landholding as it balances development outcomes with interface considerations that have regard to the context of the land, adjoining both urban and non-urban areas.

In preparing this submission, Niche has undertaken concept planning for the site. A concept plan is attached as *Appendix 1*. The concept plan was an important component in understanding how the directions of the PSP are practically implemented and having regard to the site conditions and appropriate design response. Importantly, the plan has been assessed to ensure the land can be viable and successfully developed.

Key design considerations include:

- A Landscaping, building envelopes and other design controls can be implemented to appropriately respond and soften the interface between the urban and rural land.
- B A road frontage is provided where landscaping can be incorporated into the cross-section to provide a softened interface to the north.
- C The gas easement is retained within a linear open space link through the PSP area to the south and design guidelines can manage interface considerations.
- D Transmission line pylons retained within larger lots
- E A potential subdivision pattern of the transmission line easement could incorporate "battle-axe" configurations
- F Edge road connection to provide connectivity to the south
- G Lot configuration along Dore Road to protect existing vegetation
- H Land slopes from Dore Road to the west, and lots to respond to slope by controlling lot sizes and retaining walls

When balancing the presence of the transmission line easement, gas easement, topographical character/fall of the land and irregular shape of the developable area, the potential access arrangement through the site is limited to fixed points. As such an edge road condition proposed along both the northern and western boundaries requires flexibility where a mix of sideages (and backing where appropriate) onto to the urban growth zone land can be a positive design response for the following the reasons:

- Balance cost of construction of roads with the overall development potential and yield to ensure the land can be viably developed.
- A mixture of road frontage and direct lot abuttal to the green wedge land in this area can soften the existing urban/rural transition interface in accordance with the directions of the PSP where site specific controls including building envelopes, building styles, rural style fencing treatments, landscaping in garden areas can be controlled through design guideline, and

In terms of the edge road cross-section, it is considered a 20m road is excessive and a 16m road reservation provides ample ability to support the low traffic volumes in this area as well as landscaping within the verges abutting the green wedge land (see Figure 2).

What is sought:

- Confirmation the edge road as shown along the north and western boundary on the Future Urban Structure Plan is a guide only and intended to reflect high quality interface outcomes rather than a fixed road interface. Flexibility is required in terms of consideration of sideages and in some circumstances, backing onto the green wedge area as an appropriate response to this rural interface and balancing viable and site-responsive development outcomes
- Reduction in cross-section 7 "interface" from 20m to 16m with landscaping

2. Density within Housing Transition Area 3

The PSP nominates the site within "Housing Interface Area 3" with an average minimum lot size of 2,000m² and this is supported by *Figure 1* of the PSP provides a transmission easement concept plan. It is submitted that an appropriate interface treatment should not be solely informed by density or minimum lot sizes, but rather be informed by a range of considerations including:

- Market need and values,
- Balancing overall site constraints with a well-considered design response and viable outcomes,
- A design response to site-specific features, views and topography,
- Landscaping treatments within the edge road and opportunities within lots,
- Dwelling, building areas and fencing designs that reflect an appropriate transition style that can be implemented via design guidelines, and,
- Balancing overall development viability and site constraints.

To this end, when having regard to the concept plan prepared by Niche, a range of lot sizes between 550m² and 6,800m² can be supported on the land whilst respecting and responding to the interface treatments and other constraints such as the transmission line easement, slope of the land and the presence of the gas easement.

We support the retention of transmission line easement within larger private properties. However, we submit that to ensure the land can be developed without compromising liveability, additional regard and openness to flexible density and interface outcomes must be recognized.

What is sought:

- The average minimum lot size of 2,000m² expressed in R15 is deleted to provide flexible subdivision outcomes that can be assessed through site analysis and design response, rather than a fixed area which will be difficult to achieve.
- Support for controls such as those required by R15, including fencing treatments, retaining walls treatments, landscaping and building envelopes are supported to ensure high quality interface and built form outcomes within the housing transition area.
- If deemed appropriate, amend the UGZ schedule to include an application requirement that requires a visual assessment and design response within the housing transition area to inform and encourage high quality development, landscaping and built form outcomes.
- **Delete/amend** 2.95 dwellings/ha from Table 3 and ensure densities are reflective of urban areas and that are informed by site-specific design responses and ability to viably develop the landholding.

3. Responding to Slope

The PSP requires areas with slope of 10% or greater will require specific retaining wall requirements that seek to ensure earthworks are minimised and ridgelines and steep areas are sensitively developed. We understand this will be achieved via two mechanisms:

- Requirement for preparation of a Slope Management Plan with permit applications that demonstrates how earthworks, retaining walls, landscaping, levels and benching will be managed across a subdivision, and
- Requirement 7 which prescribes a maximum retaining wall height of 1m and in excess of 1m maximum retaining wall staggering distances.

Whilst the general intent of the above provisions is understood, Requirement 7 is considered too prescriptive and does not allow for the flexibility required to ensure an appropriate built form outcome which responds to existing slope.

Given the slope of the land from Dore Road will exceed 10% particularly to the east of the site, Property 1 will require a holistic approach to the subdivision design to balance design outcomes and overall development potential of the land. Retaining walls will need to be flexible and exceed 1m in height (between lots) in some parts. The way in which earthworks will be managed should be considered as part of the Slope Management Plan which will ensure retaining wall and landscaping details (both within lots and streetscapes) can be considered that will create a high-quality development that reflects the character and interface outcomes desired for this area.

What is sought:

- **Amend** R7 to reflect flexibility and discussions with Council at the permit level in response to slope (via the Slope Management Plan) and development.

In areas which contain slope in excess of 10%, development must minimise landscape scarring and avoid the need for large amount of cut and fill to the satisfaction of the Responsible Authority.

4. Native Vegetation Precinct Plan

The PSP nominates two 'patches' of conservation areas within the developable area of the land, located to the east and west of the site. These are shown in Figure 3:



Figure 2 – PSP Plan 6 Open Space (155 Dore Road Pakenham)

The NVPP identifies vegetation for retention and provides guidance relating to the retention and removal of vegetation within the subject site.

No remnant patches have been identified on the subject site. Specifically, the following scattered trees and dead stags are to be retained, as shown on Figure 3 below:

- Dead stags – 141
- Scattered trees (*Eucalyptus Ovata*) – 143, 144, 145, 146 and 147



Figure 2a
Vegetation to be retained
and removed
Pakenham East PSP

It is understood from discussions with the owner the identified that the dead stag (141) located along Dore Road to the east of the site has been fallen for some time as shown in Figure 4 below:



Figure 4 – Dead stag 141 (Dore Road)

In addition, it is submitted that the NVPP to reflect Plan 6 of the PSP. Specifically, relating to the deletion of the dead stag to the north of the site (142).

It is understood that Remnant native vegetation as identified within the NVPP is to be retained, unless an application for removal has been made to Council in accordance with Clause 52.16-4. In addition, the NVPP also includes requirements for works within 50 metres of Native Vegetation.

As the conservation areas identified in the PSP does not form part of a larger conservation reserve or have capacity to provide linkages to other open spaces or reserves, it reduces the viability for retention of these vegetation in the developable area for ecological values.

Therefore, identification of the scattered trees on site as 'conservation reserves' is not considered an appropriate outcome within the site.

What is sought:

- Deletion of "retained" dead stag (141) from the PSP and NVPP (See Figure 4).
- Deletion of the dead stag (142) from the NVPP.
- Deletion of the nominated conservation reserves from the PSP and NVPP.

5. Infrastructure Contributions Plan

We understand VPA is currently preparing an Infrastructure Contributions Plan (standard levy) for the PSP area. It is understood this document will be gazetted concurrently with the PSP in the future.

What is sought:

- Should a supplementary levy be identified for the PSP area as a result of VPA's review of submissions, our client is notified.

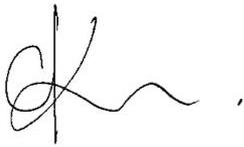
- CONCLUSION

Once again, we thank the VPA for the opportunity to provide this submission. As discussed, it is important the PSP recognise and balance development outcomes having regard to site-specific constraints and opportunities and ensure design responses balance important planning and development outcomes. It is considered that through careful site analysis and understanding of the intent of the PSP, the key objectives can be implemented whilst respecting this important interface area.

Upon review of this submission, a meeting with VPA officers would be greatly appreciated to meet with the VPA to discuss in further detail.

Should you have any queries regarding the information contained within, or wish to discuss any aspect of this submission, please don't hesitate to contact Celia Konstas on 0439 911 223 or via email at celia@nicheplanningstudio.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'C. Konstas', followed by a comma.

Celia Konstas
Principal Planner

Niche Planning Studio

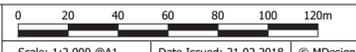
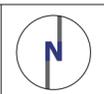


LEGEND

- - - Site boundary
- - - PSP/UGB Boundary
- Residential Development
- Conservation Open Space
- Utilities Easement
- X Native Vegetation Removal

DEVELOPMENT CONCEPT PLAN - OPTION 1A
55 DORE ROAD, PAKENHAM EAST

Aerial Supplied By: Neasmap
 Aerial date Stamp: 11.01.18
 Survey supplied by: VICMAP
 Plan Number: V_17-054-003
 Revision Number: G
 Drawn By: Matthew Patullock
 Client: Bauenort



DISCLAIMER: This Concept Plan has been prepared based on the Pakenham East PSP. Town Planning compliance is subject to approval from the Cardinia Shire Council and a suitable town planner will need to be appointed. All dimensions, areas and calculations are subject to Detailed Survey and Design before Town Planning Permit application. This plan has been prepared for illustrative purposes only and should not be used as a measure to judge any properties value or yield potential.

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