

18th February, 2018

Paul Cassidy

DIRECTOR, GREENFILEDS

Victorian Planning Authority

Re: "Cardinia Amendment C234 Pakenham East PSP"

Dear Mr Cassidy,

Thank-you for your letter dated 11th January informing us of Amendment C234 to the Cardinia Planning Scheme and the Pakenham East Precinct Structure Plan (PSP) and Pakenham East Native Vegetation Precinct Plan (NVPP).

My first reaction to this Amendment and proposed development is one of anger and frustration due to the contradictory logic applied by the Cardinia Shire Council in putting forward and supporting proposed amendments. Please allow me to explain and provide relevant background.

In May 2013, the Victorian Government put forward a State Government Planning Zones review. One (there were several) of the State Government recommendations in this review was to implement a change to the minimum lot size in the Low Density Residential Zone from 0.4 hectares to 0.2 hectares where reticulated sewerage is available, in which case properties which met this criteria could be rezoned allowing a 0.2 hectares minimum lot size. The Cardinia Shire Council made a request to Victoria Planning to allow them to make a review of the shire and put forward a response to State Government Planning Zones review recommendations. As a result, the Cardinia Shire Council, in early 2015 put forward Amendment C188. In this Amendment, Cardinia Shire Council proposed inserting a new Schedule 3 to Clause 32.03 (Low Density Residential Zone) identifying only three properties in the entire shire (which is one of the biggest in the Melbourne and greater Melbourne area) as being suitable to have the minimum subdivision size reduced to 0.2 hectares.

Residents within Cardinia Shire Council were invited to respond to the proposed Amendment C188. We, along with 42 other parties, made submissions to be considered in Schedule 3. None of the submissions were supported by Cardinia Council nor Planning Panels Victoria.

Cardinia Council put forward six reasons for not supporting any of the submissions. (Please refer to page 8, "Cardinia Planning Scheme Amendment C188, Changes to Low Density Residential and Rural Living Zones").

For our specific submission we put forward that we were not in a bushfire prone zone, that there were no environmental concerns, we were not impacted by steep topography or in a flood prone zone and, given the unique aspect of our completely flat land, any 0.2 hectare subdivision would have direct road access (no battle-axe blocks). Cardinia Council claimed that a 0.2 hectare subdivision would be outside the urban character of the area.

In June 2016 Cardinia Shire Council, without consultation and in complete contradiction to their objections in supporting submissions to Amendment C188, proposed a further change & development with Planning Amendment C209. This new amendment included a proposal to rezone the land of lots 1, 3, 5, 7, 9, 11 and 13 Ryan Road, Pakenham and 1, 2, 3, 4 and 5 Johanna Court, Pakenham from Schedule 1 and include it in Schedule 3 to the LDRZ to



provide for a minimum subdivision of 0.2 hectares. [REDACTED]

[REDACTED]

Any reasonable person can only conclude one of two things:

- either the logic and reasoning (i.e. that a 0.2 hectare subdivision would be outside the urban character of the area) put forward by Cardinia Council in Amendment C188 preventing 0.2 hectare subdivisions is **no longer sustainable**, or
- that Planning and Amendment proposals are made on the basis of favours to people directly connected to or with influential access to Cardinia Council.

Why were we NOT consulted during the planning phases of Amendment C209 to request our interest in being included, given Cardinia Council knew of our interest having lodged a submission to Amendment C188 fifteen months earlier?

It is also clear that Cardinia Council's conduct of due process is simply as a tick the box exercise without any intention of considering submissions presented to them by local residents.

So now we have Planning Amendment C234. A proposal which will COMPLETELY change the character of the area, only 400 meters away from our lot, [REDACTED]

An Amendment that will result in the construction of 7,100 homes which will mean an increase in population of greater than 17,000 people and at least an additional 14,000 vehicles to the area. An area which is currently urban in character only 400 metres away from our property will become rezoned to residential 1. How is it possible to argue "a change in the character of the area" as a reason to not allow a 0.2 hectare subdivision of our property?

Therefore, until Victoria Planning and Cardinia Council officially acknowledge in writing that the reasons that prevented the rezoning of [REDACTED] LDRZ Schedule 3 to provide for a minimum subdivision of 0.2 hectares are no longer applicable and sustainable, I object to Amendment C234.

Thank-you for the opportunity to provide a correspondence on this matter.

Yours Sincerely,

[REDACTED]

Property in question
11 Fairway Court, Pakenham

Ryan road



reticulated sewerage
infrastructure

Sewer connection on
the property



PAKENHAM EAST PRECINCT
Planned Urban Development
Residential Zoning

Johanna
Court

Pakenham East Precinct Structure Plan



11 Fairway
Court

Ryan road

