

Pakenham East PSP - Amendment C234

Submitter #	50
Submitter	Mesh Planning on behalf of Parklea
Contact name	Chris De Silva
Position title	Director
TRIM reference	COR/18/1700

Reference	LUB Reference	Submission	Change to the amendme	Topic Category	VPA response / proposed outcome	Action on Submission	Status
50.1		It is submitted that the PSP process should not proceed until the ICP amendment is either joined in the process or a separate amendment is initiated to be considered concurrently as the ICP list excludes a number of projects that are to the benefits of the wider community			<p>If an ICP proposes only to impose a standard levy, a streamlined amendment process will normally be suitable provided:</p> <ul style="list-style-type: none"> the ICP funds the provision of essential infrastructure an amendment to implement the PSP or equivalent strategic plan in the planning scheme has been adopted by the planning authority and approved by the Minister the ICP is consistent with the adopted and approved PSP or equivalent strategic plan the ICP complies with the Ministerial Direction. Department of Environment, Land, Water and Planning <p>The Planning and Environment Regulations prescribe an ICP Standard levy as a class of amendment under section 20A of the Planning and Environment Act 1987. A section 20A amendment is prepared by the Minister and exempt from notice requirements.</p> <p>The Precinct Infrastructure Plan (PIP) is exhibited as part of the PSP. It is the PIP that establishes the infrastructure to be delivered by the local council or State Government to meet the needs of the proposed development within the precinct. It is also specifically identifies the infrastructure to be funded through the ICP. The exhibition and panel is the statutory process for establishing what infrastructure is required to meet the needs of the proposed development within the precinct, what infrastructure should be funded through the ICP, who the lead agency is and the timing of delivery of the infrastructure. As stated above the ICP must be consistent with the adopted and approved PSP.</p>	Not agreed that it is necessary for the PSP and ICP to be considered concurrently	Not agreed to make change to amendment documentation
50.2		Example projects include:			<p>In general response, the Ministerial Direction on the Preparations and Content of Infrastructure Contributions Plans establishes the allowable items to be funded through and ICP.</p> <p>Clause 5 of the Ministerial Direction states:</p> <ul style="list-style-type: none"> An infrastructure contributions plan may only fund allowable items. <p>Clause 6 states:</p> <ul style="list-style-type: none"> Unless this Direction or an Annexure to this Direction specifies otherwise, an allowable item does not include those works, services or facilities that a developer of land normally provides on or to the land in order to develop the land for urban purposes. <p>Clause 7 of the Ministerial Direction establishes that a standard levy may only fund the following allowable items: any works, services or facilities that may be funded by a supplementary levy unless the applicable Annexure to this Direction specifies otherwise.</p> <p>In response to the submission that identifies additional items to be funded through the ICP:</p>	Not agreed to make change to amendr	Not agreed to make change to amendment documentation

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50.3		<ul style="list-style-type: none"> The connector boulevard as it services a broad catchment with a range of land uses and has an embellished landscape standard 			<p>Table 4 of the Ministerial Direction establishes transport construction supplementary allowable items. It establishes the local or collector roads maybe funded through the ICP if the road is on or adjoins land in fragmented ownership. It is acknowledged that the land on which the connector boulevard is proposed is on land in multiple ownership wholly under the control of Parklea, and does not adjoin to land in fragmented ownership. However the relevant overarching principles of the ICP system (Page 9-10 of the Infrastructure Contributions Guidelines) must be considered when determining items to be funded through the ICP:</p> <ul style="list-style-type: none"> Infrastructure is essential: The delivery of the boulevard connector is aligned in such a way across existing parcels of sufficient size that it can be delivered in stages and still provide an essential service to the community (i.e. an accessible, permeable street and path network) that meet the requirements established in the PSP relating to transport and movement, housing and infrastructure delivery and staging. Timely and orderly provision of infrastructure: As stated above, the existing parcels and the alignment of the boulevard connector allow for the delivery of the road in stages that correspond with the development. The necessity of the road and the associated bus service that may be delivered is entirely dependent on the staged development of the PSP. The existing Princes Highway will provide access for the precinct to the wider area and will be available from the first stage of development. Need and nexus: As stated above the need for the connector boulevard is entirely dependent on the staging of the precinct and can be delivered in stages and still provide an essential service to the community. There is extremely limited nexus between the connector boulevard and the section of the precinct north of the Princes Highway. Equity: Development which contributes to the need for the connector should pay a fair and reasonable contribution towards its provision. As there is limited nexus between the residential land to the north of the precinct and the connector, for equity reasons, this land should not contribute to the delivery of the connector. The VPA do not agree that the delivery of the boulevard connector through the ICP is consistent with the overarching principles that guide the ICP system. 	See response to each item below (resp	Not agreed to make change to amendment documentation
50.4		<ul style="list-style-type: none"> Embellishment of gas easements 	y	ICP	<p>The allowable items lists in the Ministerial Direction do not cover items that are normally provided by developers at the subdivision stage. The exceptions to this are developer provided roads, bridges and pedestrian accessways that are located on or adjoin land in fragmented ownership. Chapter 13 of the ICP Guidelines identifies as works to be provided directly by the developer: Improvements to local parks and open space reserves including, but not limited to:</p> <ul style="list-style-type: none"> passive open space playgrounds car parking and internal roads pedestrian and bicycle paths seating landscaping including earthworks and shaping, grassing, tree planting, garden beds, paving, retaining walls, planters and water sensitive design features works to protect and integrate existing retained landscape and cultural features installation of picnic facilities and park furniture including BBQs, shelters, tables, fencing, bollards, rubbish bins, bike racks, tree guards and lighting water tapping of open space <p>Therefore embellishment of gas easements for use as open space is not considered an allowable item as it is infrastructure normally provided directly by the developer.</p>	Not agreed to include item in the ICP	Not agreed to make change to amendment documentation

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50.5		<ul style="list-style-type: none"> Construction of shared path network 			<p>Chapter 13 of the ICP Guidelines establishes that the allowable items lists in the Ministerial Direction do not cover items that are normally provided by developers at the subdivision stage. The exceptions to this are developer provided roads, bridges and pedestrian accessways that are located on or adjoin land in fragmented ownership. The majority of the shared path network is delivered adjacent to the drainage corridors, within the gas transmission pipeline easements and adjacent to the Princes Highway.</p> <p>R89 of the PSP requires that 'shared and pedestrian paths along waterways/retarding basins must be delivered by development proponents consistent with the network shown on Plan 8- Public Transport and Path Network'. This requirement has been extensively applied through other approved PSPs which indicates that delivery of the shared path network adjacent to waterways are normally delivered by developers and should not be funded through the ICP.</p> <p>The exception in this case is the shared path network adjacent to the Princes Highway (within the Princes Highway reserve to the south and within the east-west gas transmission pipeline to the north) (P-01 and P-02) and the proposed shared path from the precinct to Pakenham train station within the Vic Track rail reserve (P-03). These paths are considered to be 'basic and essential to the health, well-being and safety of the community' (Infrastructure Contribution Guidelines, Page 9) (i.e. they provide safe and accessible pedestrian and cycle routes to the important and essential social, transport and commercial services provided within Pakenham Town Centre). The delivery of these paths meets the principles established in the ICP Guidelines and will be funded by the ICP. In addition, these paths a located within fragmented land ownership or land outside of the control of developers within the precinct.</p>	Not agreed to include item in the ICP	Not agreed to make change to amendment documentation
50.6		<ul style="list-style-type: none"> The submission requests the construction of Ryan Road south of Canty Lane to be funded through the ICP or an alternative funding method 			<p>Chapter 13 of the ICP Guidelines establishes that the allowable items lists in the Ministerial Direction do not cover items that are normally provided by developers at the subdivision stage. The exceptions to this are developer provided roads, bridges and pedestrian accessways that are located on or adjoin land in fragmented ownership. The land within the precinct adjacent to Ryan Road north of Canty Lane abuts single sided, fragmented land. The delivery of this section of Ryan Road clearly meets the fragmented land criteria and due to the size of the parcels and the development potential, there is a risk that the this section of Ryan Road will not be delivered in the normal course of development.</p> <p>The section of Ryan Road south of Canty Lane is also in slightly fragmented land holdings and may be considered for inclusion in the ICP.</p>	Further discussion regarding the inclusi	Further review/discussion
50.7		The submission states it is not clear what projects are eligible for inclusion in the ICP and/or supplementary levy			<p>Table 8 establishes the components of each infrastructure items (ultimate land requirements, interim construction of infrastructure and ultimate construction of infrastructure) to be funded through the ICP. All items, regardless of how the Ministerial Direction defines them, will be funded through a standard levy. If a supplementary ICP is required for the PSP, it will be formally exhibited and all materially affected parties will be notified.</p>	No action required	No action required
50.8		The noise walls adjacent to the Princes Freeway with benefitting properties within the sensitivity zone			<p>The construction of noise attenuation walls adjacent to freeways has been well established through a number of PSP amendments and panels to be developer works.</p> <p>The allowable items listed in the ICP Guidelines do not cover items that are normally provided by developers at the subdivision stage. The exceptions to this are developer provided roads, bridges and pedestrian accessways that are located on or adjoin land in fragmented ownership.</p> <p>They are generally considered developer works as they do not meet the nexus and equity principles established in the ICP Guidelines. This is the case for the provision of noise walls in Pakenham East as the beneficiaries of the noise walls would be a relatively small number of landowners so it is inequitable for all landowners to contribute to these items.</p>	Not agreed to include noise wall constr	Not agreed to make change to amendment documentation
50.9		The submission states that Section 3.8 of the PSP does not adequately provide sufficient guidance regarding the implementation of projects including responsibility, funding or timing			<p>Table 8 identifies the lead agency responsible for delivering the infrastructure item, the funding source if it is to be funded through the ICP and estimate of timing (short, medium, long). The intent of the timing column in Table 8 is to estimate when the infrastructure is likely to be required based on the expected development staging of the precinct to ensure that the precinct is serviced with open space, community facilities and sealed road access is provided as early as practicable. Development staging will be largely determined by the development proposals on the land within the precinct and the availability of infrastructure services and it is beyond the scope of the PSP to estimate with any greater accuracy when the infrastructure will be required. Through the exhibition process, the VPA are happy to discuss the expected timing of infrastructure based on development proposals.</p>	Further review/discussion regarding tin	Further review/discussion

Reference	LUB Reference	Submission	Change to the amendme	Topic Category	VPA response / proposed outcome	Action on Submission	Status
50.10		The submission requests that the final location and conditions related to the reserves should be subject to public land equalisation via the ICP process.			There will be a process to consult with landholders regarding the estimates of value of land required for public use when the amount of land exceeds the average amount of land required for public uses across the precinct. An independent valuer must be engaged to undertake site specific valuations for the parcels where there is a higher than average contribution of land (section 46GN of the Act). The VPA must then notify affected landowners and council in writing of the results of the valuers reports (section 46GO and 46GP of the Act). The affected landowners then are able to make a submission about the valuers report. Their submission must include a competing report prepared by an independent valuer (section 46GQ of the Act). The VPA must then consider any submissions made (46GR of the Act) and if we disagree with any of the submissions we must refer them to the Valuer General Victoria (VGV) for an independent determination process which will include a valuers conference (section 46GS and 46GT of the Act). The final ICP must then be consistent with this process (section 46GU of the Act). This will be undertaken when the FUS is finalised as the location of infrastructure must be confirmed as this will influence the amount of land that exceeds the average amount of land required for public uses across the precinct.	No action required	No action required
50.11		It is submitted that the existing Council owned land to the west of the PSP would be better suited to accommodate the proposed secondary school and indoor sports and recreation facility having regard for its catchment, relative accessibility and ability to avoid impact on the development potential of the land within the PSP.	Y	School	Provision rates for new secondary schools in Greenfield areas is one per 9,000 dwellings. Pakenham East has a projected dwelling yield that triggers the need for 0.80 of a government secondary school. Government secondary schools exist in Officer and Pakenham, yet with the number of dwellings in Pakenham forecast to reach 16,925 and Officer to reach 9,559 by 2031, greater pressure will be placed on the area. Discussions with the Department of Education and Training indicate that a secondary government school will be required in this location to service the precinct and surrounding townships and the existing Pakenham area. In addition to this any school site must meet Standards relating to Planning for Community and Facilities Objective established in 56.03-3 relating to school sites. There is clear strategic justification for the school site within the precinct and the current location meeting the Standards relating to Planning for Community and Facilities Objective established in 56.03-3 relating to school sites.	Not agreed to amend secondary school	Not agreed to make change to amendment documentation
50.12		The submission does not support the location of the non government primary school due to traffic and other constraints and a desire to maximise the developable area for medium density housing in closest proximity to retail and other activities. The submission proposes an alternative site.	Y	School	Further discussion regarding the location of the non government school site is required. In response to point 9 of the submission (Local Town Centre Concept Plan) it is proposed that a design workshop be held to refine the concept plan. It is best that the location of the non government school site be addressed through this process.	Additional workshop proposed to confi	Additional information / work may be required to inform outcome
50.13		The submission provides alternative text to that uses in R51 and requests this text is used in place of R51	Y	School	It is not agreed to update R51 with the proposed text. The PSP plays an important role in ensuring community infrastructure is provided when required. R51 puts in place a rigorous process for ensuring all efforts have been made to deliver non-government schools as strategically justified through the PSP prior to the land use reverting to the underlying applied zone. The proposed rewording is not appropriate as the purpose of Table 8 of the PSP is to estimate when the infrastructure is likely to be required based on the expected development staging of the precinct to ensure that the precinct is serviced with open space, community facilities and sealed road access is provided as early as practicable. Development staging will be largely determined by the development proposals on the land within the precinct and the availability of infrastructure services and it is beyond the scope of the PSP to estimate with any greater accuracy when the infrastructure will be required. The VPA prefer to establish the process set out in R51 as it provide a level of certainty for all parties regarding the process required to revert to the underlying land use, while allowing flexibility for the process to occur in line with development.	Not agreed to update R51	Not agreed to make change to amendment documentation
50.14		The submission does not support the location of SR-02 having regard to:	Y				

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50.15		The slope of the land	Y	Open Space	The location of SR-02 has limited slope with the steepest section being a small area of the north eastern boundary with a grade of approximately 1 in 17 (6%). This grade is not considered to be problematic for the delivery and construction of the reserve. R106 of the PSP requires that the land for sports reserves are vested in the relevant authority with a regular surface with a maximum 1:6 grade. None of the land contained within Sport Reserve SR-02 exceeds this grade so will not trigger any further works under this requirement.	Not agreed to update SR-02 location	Not agreed to make change to amendment documentation
50.16		The location of the high pressure gas transmission pipeline	Y	Open Space	<p>Open space is generally not considered to be a sensitive use to be prohibited or controlled within measurement lengths. There is currently no 'standard' definition of sensitive uses relating to high pressure gas transmission pipelines. The Advisory Committee Report for Major Hazard Facilities July 2016 provided the following comment in relation to the designation of sensitive uses:</p> <p>The attraction as requested by a number of submitters of including a 'standard' definition of sensitive uses in planning is obvious. A single definition, by its nature, would have to be all encompassing, and would mean that whenever sensitive uses are referenced in the planning scheme, then all parties would be clear on what is discussed. However this suggested simplified approach also has obvious limitations. The list would need to be extensive to cover all the potential sensitive uses, and would result in the unnecessary restriction of some sensitive uses to the detriment of net community benefit in terms of inefficient land use. In addition, some parts of the planning system refer to sensitive uses by way of land use descriptors (e.g. 'Accommodation') while other parts refer to what would be a sensitive use by way of zoning (e.g. land in a residential zone).</p> <p>The Committee is not convinced that a 'one size fits all' approach is appropriate and considers the existing 'fit for purpose' approach is superior. An extensive range of sensitive uses may be sought to be curtailed in the Inner Planning Advisory Area (IPAA) of a MHF identified by WorkSafe, whilst some ostensibly sensitive uses may be appropriate in the Outer Planning Advisory Area (OPAA). These terms are discussed in more detail in Chapter 3. Essentially this is what happens in planning now; the sensitive uses are defined differently for different purposes, whether it be contaminated land, Clause 50.10 or elsewhere. The Committee considers that whilst any new controls arising from the work of this Committee will need to carefully consider the issue, the sensitive uses sought to be curtailed should still be addressed on an 'as appropriate' basis for the circumstances. The Committee concludes that is not necessary to attempt to provide a standard definition of 'sensitive uses' in planning schemes.</p> <p>Numerous recent panels have attempted to identify those uses that should be considered sensitive on a site by site basis, similar to that in the process suggested in the Advisory Committee Report for Major Hazard Facilities. The panel recommendations have generally not identified open space as a sensitive use. The current location is considered appropriately sited in relation to the high pressure gas transmission pipeline.</p>	Not agreed to make change to amendm	Not agreed to make change to amendment documentation
50.17		The impact on the remaining developable land	Y	Open Space	Please specify the impact. The constraints of the site limits the potential for moving the active open space and school further west. Clause 56.03-3 of the Cardinia Planning Scheme states that school sites should adjoin the public open space network and community sporting and other recreation facilities. This prevents the SR-02 reserve from being shifted further west as it would result in the school being within the pipeline measurement length (note: it has been well established that in a greenfield context schools are sensitive uses and should be prohibited within high pressure gas transmission pipeline measurement length).	Discuss further impact of location of pu	Further review/discussion

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50.18	29,30,31,35, 33,34-E, 34-R, 35,38,39,41, 46,48,49	The submission asks that it is noted that property 39 plays a critical role in the delivery of important infrastructure and the accumulated impediments of: gas transmission reserve retarding basins active open space one side roads noise walls GAIC charges	Y	FUS	The VPA do not accept that the current FUS impacts the viability of the land within property 33 and 39. The PSP considers that the subject land is under the control of a single developer with variable commercial arrangements with landholders and the land within property 39 to the east of SR-02 can be developed as part of property 38, and that the land with property 39 to the west of SR-02 can be developed as part of property 33. However we are willing to consider alternate arrangements that meet the requirements of the PSP that relate to housing, land uses within the high pressure gas transmission pipeline measurement length, schools and community faculties, and Clause 56.03.	Discuss further impact of location of pu	Further review/discussion	
50.19		It is submitted that the combined impacts put at risk the viable development of the sites in a timely manner. The submission suggests 'splitting' the AOS to achieve a more equitable outcome and improve viability of critical properties and synchronise supply with development. The submission requests that if SR-02 remains that an alternative site adjacent to the gas easement as shown on the attached plan be considered.	Y	FUS	The submission suggests 'splitting' the AOS to achieve a more equitable outcome and improve viability of critical properties and synchronise supply with development. The submission requests that if SR-02 remains that an alternative site adjacent to the gas easement as shown on the attached plan be considered. Splitting the open space is not ideal as it will result in inefficient delivery of facilities and additional single sided road requirements. It is however a potential option if required. However the slope analysis does not identify the site being constrained by slope, so the preference is to retain the open space in its current configuration.	Not agreed to split SR-02	Not agreed to make change to amendment documentation	
50.20		It is submitted that the NVPP is inaccurate and incorrectly nominates trees that were legally removed as trees to be removed subject to approval and nominates planted trees as native trees. The submission incorrectly assigns offset responsibilities. The submission requires the following changes to the open space network:	Y	Conservation	A report detailing the inaccuracies in the native vegetation precinct plan will be required prior to this submission being considered further.	Response will be provided when issues	Additional information / work may be required to inform outcome	
50.21								Additional information / work may be required to inform outcome
50.22		LP-04- relocate to protect existing vegetation and create a gateway opportunity adjacent to the collector				There is potential to relocate LP-04 to protect existing native vegetation.	Will consider location of local park	Additional information / work may be required to inform outcome
50.23		LP-07- Not needed due to presence of LP-05 and tree retention area, linear link could be introduced along south side of collector road if relocation of AOS is supported.	Y	Open Space	There is potential to remove LP-07. A linear link along the boulevard connector would be of limited use as the connector will include a two way bike path and a pedestrian path and extensive nature strips.	Will consider location of local park	Additional information / work may be required to inform outcome	
50.24		LP-09- delete in favour of retention of small park within LTC area (location and shape to be confirmed during detailed design)				LP-10 is identified as a as a town square (Table 6) and the intent is it will function as a civic space/urban plaza (as identified in the Figure 2). LP-09 will provide a more standard local park function. Therefore both of these open spaces will be complementary and should be retained	Not agreed to remove LP-09	Not agreed to make change to amendment documentation
50.25		LP-10-precise location should be removed in lieu of preparation of detailed plans for LTC				R37 provides the flexibility to alter the position of local parks provided it meets the requirements established in R37. The FUS does not plan the location of LP-10, but provides an estimate of the land take required. This can be discussed.	Not agreed to make change to LP-10	Not agreed to make change to amendment documentation
50.26		LP-11- relocate to central location to the North West to improve amenity of developable area and to support delivery of diverse housing outcomes.				It is preferred that smaller neighbourhood parks as proposed by LP-11 are located adjacent to other larger open space areas such as drainage corridors. This improves connectivity and maintenance efficiency. There is potential for the park to be relocated wholly within property 37, adjacent to the drainage corridor.	Agreed to update location of LP-11	Agree change to amendment documentation
50.27		The submission requests that the high pressure gas transmission reserve is utilised as a pedestrian and cycle connection and that accordingly the land for a linear reserve be credited as open space and the landscaping/infrastructure be funded through a separate means. The following changes reflect the landholders position on the fragmentation of the land:			Open Space	See response 50.4	Not agreed to include item in the ICP	Not agreed to make change to amendment documentation
50.28		<ul style="list-style-type: none"> The open space provisions should include open space delivery guidelines (appendix G) where the park is classified and the infrastructure requires is specified Figure 4 should be amended to reflect relocation of the active open space as requested and no access to be provided from local residential streets for playing field car parks ICP or other funding should be implemented for the embellishment of parks and trails 	Y	Open Space	Table 6 classifies the open space by type and the type is defined in Appendix G. Please clarify the submission relating to this. Please see response to previous submission regarding positioning of SR-02.	Clarification of submission required	Additional information / work may be required to inform outcome	

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50.29		The submission requests that access to Mt Ararat Road south be through an internal access street system and closure of Mt Ararat Road at the time of construction/connection.		Traffic	The PSP has not specified the intersection with Mt Ararat Road south with the Princess Highway as a left in/left out arrangement. It is agreed that land adjacent to Mt Ararat Road South can be accessed through a network internal to the precinct. However, the road authority will have final determination of access onto Princes Highway at subdivision stage	It is agreed that no access onto Princes	No action required
50.30		The submission requests that Ryan Road and the Ryan Road Princes Highway intersection be excluded from the PSP and dealt with separately. The submission argues that it is not required for the bus network and that any required upgrades to Ryan Road should take account of the Special Charges Scheme used to construct the road previously and be upgraded through a separate funding mechanism.	Y	ICP	The ICP funds the intersection of Canty Lane and Ryan Road, the section of connector road from Canty Lane to the Princes Highway and the ultimate land and interim construction of the intersection with the Princes Highway. The items are allowable as defined in Table 2 & 3 (ultimate land and interim construction for intersections with declared state arterial roads) and Table 4 & 5 (land and construction for local or collector roads required on land that is on or adjoins fragmented land). The modelling undertaken for the PSP indicates the Ryan Road intersection with the Princes Highway will carry approximately 700 trips per hour in the am peak. A general rule of thumb is that approx. 10% of traffic is generated in peak times which equates to approx. 7,000 trips per day. This traffic volume is at the upper end of the indicative maximum traffic volume for a connector road (as identified in 56.06 of the Cardinia Planning Scheme). There is a clear nexus between the upgrade of Ryan Road and signalisation of Ryan Road and the Princess Highway with the PSP.	Not agreed to remove Ryan road & inte	Not agreed to make change to amendment documentation
50.31		The submission states that the signalised intersection with Ryan Road and the Princess Highway is outside and disconnected from the PSP and services a very smaller portion of the PSP and should therefore be excluded from the PSP and ICP.	Y	ICP	See response 50.30.	Not agreed to remove Ryan road & inte	Not agreed to make change to amendment documentation
50.32		The submission requests justification for the application of the walkable catchment and that the walkable catchment be reviewed to avoid sloping land	Y	Housing	<p>The walkable catchment (where the RGZ will be applied) has been optimised through a strategic approach using a range of criteria, and with some flexibility depending on local circumstances. The ultimate outcome for the PSP is a combination of RGZ & GRZ across PSPs with applied zone locations tailored to implement PSP objectives, requirements, guidelines and plans.</p> <p>To determine the applied residential zoning the following guidance criteria and process are generally used:</p> <ul style="list-style-type: none"> Identify higher accessibility areas as determined by walkable catchments to key amenity features, activity hubs and public transport: <ul style="list-style-type: none"> 800m of train stations (centroid or boundary) 800m of major town centres (perimeter of retail / commercial core) 600m of specialised town centres (perimeter of retail / commercial core) 600m of the Principal Public Transport Network (PPTN) (centreline). 400m of local town centres (perimeter of centre) 100-200m from co-located, community hubs, sports reserves (apply discretion depending on the type, configuration and function of the hub). 100-200m from Local Convenience Centres (apply discretion depending on size and function of the LCC, as these can vary significantly). Boundaries to the Walkable catchment have been refined by: <ul style="list-style-type: none"> Removing constrained areas (e.g. will vary from PSP to PSP but could include areas of steep topography, high pressure gas pipelines, significant vegetation, sensitive waterways / interfaces etc.) and / or; Making sensible adjustments (extensions and / or reductions) to avoid odd outcomes / difficult to administer slithers etc. The area contained within the walkable catchments will then be identified as RGZ, while constrained and / or remaining areas outside catchments would be identified as GRZ. Rarely, NRZ could apply to some of the constrained / remaining areas should there be highly specific matters that need addressing (such as interfaces with highly sensitive adjoining land uses). Table 1 of the schedule to the Urban Growth Zone will contain a reference to the RGZ applying to areas within a walkable catchment of high amenity features and public transport as shown on the Future Urban Structure and Housing Plan of the PSP. The PSP will contain a suite of objectives, requirements and guidelines to guide appropriate housing outcomes in the PSP development phase, and these will also reference the walkable catchments where relevant. <p>The FUS will designate areas where the applied zones (i.e. Residential Growth Zone within the walkable catchment and the General Residential Zone to all other residential land) should be 'applied'.</p> <p>The slope analysis undertaken indicates that there is a small amount of land within the walkable catchment of greater than 10% slope (slope analysis provided). The location of this land adjacent to the town centre, bus route</p>	VPA agreed to discuss housing options	Further review/discussion

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50.33		The submission requests that Table 2 of the PSP be amended to include potential for 'multi unit sites including terraces, row houses and villas' on lots less than 300sqm, and include 'stacked housing including apartments, shop top living and walk up flats' on lots less than 300sqm and on lots between 301-600sqm.	Y	Housing	Table 2 is intended to refer to the creation of superlots for the creation of multi-unit housing sites and stacked housi	Discuss if this resolves issue	Additional information / work may be required to inform outcome
50.34		The submission raised concerns regarding the interpretation of the Local Town Centre Concept Plan when determining whether a future permit or design of the town centre is considered to be generally in accordance with the concept plan. The submission also raises concerns with regard to (but not limited to): <ul style="list-style-type: none"> • The location of the supermarket; • The location of the proposed car park access ways; • The distribution and type of proposed retail uses; • The location of the proposed non-government school (addressed elsewhere in this submission); • The form of main street. To address the concerns regarding the role of the concept plan it is requested that either the concept plan be deleted in favour of preparation of an urban design framework or preferably generalised to overcome potential statutory interpretation of 'generally in accordance with' and to support submission of the most progressive design responses. It is also requested that requirements R23 and 24 be revised to include reference to delivery of a hybrid based retail centre with key emphasis on the quality and character of the public realm and sense of place.	Y		In response to this submission, the VPA would prefer to review Parklea's preferred design and hold a design workshc	Organise workshop on LTC design	Workshop an outcome with stakeholders
50.35		It is submitted that the cost of noise attenuation should be included as an ICP project/s. In addition to this, it is requested that Plan 5 be amended to delete the requirement for a frontage/edge road along the freeway where there is residential abuttal to the freeway reserve. A requirement to deliver an edge road is inappropriate where a noise wall will be required.	Y	ICP	See response 50.8	Not agreed to include item in the ICP	Not agreed to make change to amendment documentation
50.36		It is submitted that an additional Objective be added: recognise the fragmented landholdings within the PSP and plan the distribution of infrastructure and funding arrangements to ensure a fair and equitable allocation of responsibility and financial liability.	Y	PSP objective	This would be inappropriate to include as an Objective. The mechanism for ensuring equalisation of the provision of infrastructure across the PSP is the ICP levy and the public land equalisation of the estimates of value for public land on the precinct.	Not agreed to include objective	Not agreed to make change to amendment documentation
50.37		The submission requests deletion of R5- inequitable, "key nodes" not identified	Y	Requirements & Guidelines	R5 does not require the inclusion of public art and complementary infrastructure for public creative and cultura activities in open space areas in key nodes. It states that if delivered, must be consistent with Cardinia Shire Council Landscape Guidelines. R5 can be reworded to make this clear	Agreed to clarify requirement	Additional information / work may be required to inform outcome
50.38		The submission requests deletion of G3 as it restricts alternative solutions	Y	Requirements & Guidelines	G3 ensures the open space network has an activated frontage and prevents back fences dominating the interface between housing/open space. Please provide example of alternative solutions?	Discuss alternative solutions	Additional information / work may be required to inform outcome
50.39		The submission requests deletion of G4-unfair to burden individual landowner with funding landscape of "high quality" standard for waterways	Y	Requirements & Guidelines	G4 to be retained. It is appropriate to request quality treatments of public land within the precinct.	Not agreed to remove guidelines	Not agreed to make change to amendment documentation

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50.40		The submission requests amendment R7 to Guideline	Y	Requirements & Guidelines	The planning controls that relate to subdivision of land with a slope of greater than 10% are implemented through a subdivision application requirement that requires an application to subdivide land or to construct a building or carry out works for land shown on Plan 2 of the Pakenham East Precinct Structure Plan as having a slope greater than 10%, must include a Slope Management Plan that responds to the document 'Guidelines for Slope Management in Subdivisions- Pakenham East Precinct Structure Plan. Subdivision applications must also meet the requirements set out in R7. These controls are intended to work together to allow the developer to respond to slope greater than 10% by submitting a Slope Management Plan that allows the application to provide a performance based site specific response to the land, while meeting key, design criteria (that set out in R7). Regardless of the materials used, or design of retaining walls, the VPA consider the meeting of the design criteria set out in R7 as fundamental to achieving an appropriate urban design response on sloping land. There is also the flexibility of the requirement to be considered by the responsible authority if agreed through the slope management plan. The VPA consider this to be an appropriate compromise between a performance based approach and the meeting of key design criteria set out in R7.	Not agreed to amend requirement	Not agreed to make change to amendment documentation
50.41		The submission requests deletion of R11 as it duplicates R9	Y	Requirements & Guidelines	Agreed to delete Requirement R11	Agreed to delete R11	Agree change to amendment documentation
50.42		The submission requests R12 should be a guideline	Y	Requirements & Guidelines	This requirements prevents housing backing onto an acoustic wall and delivering a poor design outcome. The only alternative design may be medium density barrier housing, which is unlikely to be contemplated in housing adjacent to the Prince Freeway.	Not agreed to change from requiremen	Not agreed to make change to amendment documentation
50.43		The submission requests deletion of R16 as slope management may not allow rear load and sideage is reasonable at small parks	Y	Requirements & Guidelines	Further Discussion regarding R16. If a retaining wall is provided directly fronting onto the local park, can a point of ac	Discuss design options in this scenario	Additional information / work may be required to inform outcome
50.44		The submission requests deletion of G15 as it contradicts slope management for higher density	Y	Requirements & Guidelines	Agree slope may pose an issue for north south orientation. Reword to read: Subdivision of land should maximise north-south orientation of street blocks to facilitate appropriate solar orientation of lots apart from where areas of steep slope prevent north-south orientation.	Agreed to update G15	Agree change to amendment documentation
50.45		The submission requests deletion of G18 as is not a guideline	Y	Requirements & Guidelines	Reword to read: Double storey and rear loaded dwellings should be provided on key streets and boulevards to provide a strong built form edge and enclose the street.	Agreed to update G18	Agree change to amendment documentation
50.46		The submission requests deletion of G20	Y	Requirements & Guidelines	Further discussion : It is reasonable to question the ability of the planning scheme to control these type of design aspects.	Discuss the ability of this guidelines to t	Additional information / work may be required to inform outcome
50.47		The submission requests deletion of R18 as is unnecessary as the controls can be implemented by permit conditions	Y	Requirements & Guidelines	agreed this should be a permit condition	Agreed to remove	Agree change to amendment documentation
50.48		The submission requests R20 should be a guideline as figure 2 is "an indicative example of how the centre might be developed"	Y	Requirements & Guidelines	R20 requires that the use and development of the LTC must be generally in accordance with the LTC Concept Plan which provide a level of flexibility in delivery. Generally in accordance does not necessarily require the delivery to be as laid out in the Concept Plan, but requires that the use and development responds to the concept plan and delivers design principles of the PSP and DELWP Design Guidelines. As discussed previously the VPA agree to work through options with the proponent and council and refine the concept plan for the LTC.	LTC concept plan to be reviewed	Additional information / work may be required to inform outcome
50.49		The submission requests R25 delete "consider.....dwellings"	Y	Requirements & Guidelines	Unclear what the submission requests. Discuss	Discuss submission	Additional information / work may be required to inform outcome
50.50		The submission requests R37 should state "generally in accordance with" to allow flexibility in final design.	Y	Requirements & Guidelines	R37 intentionally allows less flexibility than given when applying 'generally in accordance' principle and only allows departure from the open space strategy that meets the requirements set out in R37.	Not agreed to amend R37	Not agreed to make change to amendment documentation
50.51		It is submitted that R39 is incorrect and should be amended to apply cross sections appropriate to the various gas easements	Y	Requirements & Guidelines	Appendix E will be updated to indicate an indicative cross section to guide development of gas transmission easements	Agreed to update Appendix E	Agree change to amendment documentation
50.50		It is submitted that R41 should be amended to read "a local park", and replace "open space" with "local park"	Y	Requirements & Guidelines	Agreed	Agreed to update R41	Agree change to amendment documentation
50.53		The submission requests deletion of R43 as the issue is addressed in G31, to give priority to the primary function of the land	Y	Requirements & Guidelines	Agree to delete G31 and reword R43 to read: Design of service open space including waterway corridors, utilities easements and any other encumbered open space, must maximise the amenity and biodiversity value, potential for the integration of passive and/or active recreation uses where this does not conflict with the primary function of that open space, and provide for flexible recreational opportunities, particularly when such land also abuts unencumbered open space.	Agreed to delete G31 and reword R43	Agree change to amendment documentation

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50.54		It is submitted that R45 should reference Appendix G, which should specify handover requirements	Y	Requirements & Guidelines	R105 establishes the standard to which all open space (where not provided via the ICP) must be finished	Not agreed to updated	Not agreed to make change to amendment documentation
50.55		It is submitted that G29 should reference Appendix G as amended	Y	Requirements & Guidelines	Agree to amend G29 to reference Appendix G	Agreed to update G29	Agree change to amendment documentation
50.56		The submission requests deletion of R50 as it cannot be implemented without the co-operation of the various authorities	Y	Requirements & Guidelines	Discuss. This Requirement is to provide guidance on planning for these facilities for all delivery authority not just de	Further discussion around when this re	Additional information / work may be required to inform outcome
50.57		The submission requests deletion of R51 as is a restriction of trade and there is no strategic justification for this requirement.	Y	Requirements & Guidelines	See response 50.13	Not agreed to make change to amendr	Not agreed to make change to amendment documentation
50.58		The submission requests deletion of R50 is in conflict with Figure 4	Y	Requirements & Guidelines	Not agreed that Figure 4 contradicts this requirement. Please specify issue.	Not agreed to make change to amendr	Not agreed to make change to amendment documentation
50.59		The submission requests deletion of R62 as it duplicates R58	Y	Requirements & Guidelines	Agreed to delete R58	Agreed to delete R58	Agree change to amendment documentation
50.60		The submission requests deletion of R76 as it is not reasonable and requires full road design of an estate at stage 1. Furthermore it is grossly inefficient for no benefit.	Y	Requirements & Guidelines	Admittedly it does bring forward the timing of construction of connector street bridges in the scenario set out in the requirement. However it is beneficial as it ensures connectivity between stages from inception of the delivery of the second stage of development.	Additional information / work may be r	Additional information / work may be required to inform outcome
50.61		The submission requests deletion of R78 for the same reasons as R76.	Y	Requirements & Guidelines	Admittedly it does bring forward the timing of construction of connector street bridges in the scenario set out in the requirement. However it is beneficial as it ensures connectivity between stages from inception of the delivery of the second stage of development,	Additional information / work may be r	Additional information / work may be required to inform outcome
50.62		It is submitted that R80 does not address the situation where compliance with codes and standards necessitates additional land take for intersections. It is unnecessary.	Y	Requirements & Guidelines	This requirement provides certainty regarding the land take required for the delivery of intersections to be delivered through the PSP and is important to ensure that the intersection approved at the subdivision stage is consistent with the PSP and the overarching strategic plan for the land.	Not agreed to delete requirement	Not agreed to make change to amendment documentation
50.63		It is submitted that R86 triggers the need for additional specific cross sections of Ryan Road, Mt Ararat Road, north-south connector with gas easement, gas easement, streets abutting retarding basins.	Y	Requirements & Guidelines	The cross sections provided are consistent with Table C1 (Design of roads and neighbourhood streets) of Clause 56.03 of the Cardinia Planning Scheme and require no further updating for the interfaces with the PSP (Ryan Road, Mt Ararat Road) above what is provided.	Discuss details of further cross sections	Additional information / work may be required to inform outcome
50.64		The submission requests deletion of R88 as is unreasonable as it imposed a district community obligation on development proponents for assets controlled by authorities	Y	Requirements & Guidelines	This Requirement may be reworded to ensure that it applies to appropriate development scenarios	Agree to reword requirement	Additional information / work may be required to inform outcome
50.65		It is submitted that R89 is unreasonable in that it imposes a district community responsibility on a few individual developers and should be deleted.it should be replaced with a requirement that supports a supplementary infrastructure levy or similar.	Y	Requirements & Guidelines	Not agreed that this is a district community responsibility. This is seen as a development obligation to be delivered as part of subdivision process.	Not agreed to remove requirement	Not agreed to make change to amendment documentation
50.66		It is submitted that R91 is unreasonable in that the PSP should prescribe the core use and ancillary recreation and environmental uses. It is unfair and inefficient to impose R91 on development proponents an obligation for "multiple recreation". It should require the basic infrastructure of bicycle path and minimum landscape and equity funding arrangements should be implemented via the PSP and ICP.	Y	Requirements & Guidelines	R91 states that waterways must have multiple uses. It is fair and reasonable that these uses are provided by the developer.	Not agreed to remove R91	Additional information / work may be required to inform outcome
50.67	49	It is submitted that there is a need to address the equity of funding of the noise wall adjacent to the Princess Freeway and the upgrade of Ryan Road to encourage development in an efficient and timely way.	Y	ICP	See response 50.8	Not agreed to include noise wall constr	Not agreed to make change to amendment documentation
50.68	39	It is submitted that this property requires reconfiguration (or relocation) of public infrastructure to enable a more efficient subdivision and the funding of the infrastructure and associated consequential costs addressed.	Y	FUS	See response 50.18	Discuss further impact of location of pu	Further review/discussion

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50.69	38	<p>It is submitted that this property is critical in the delivery of the total eastern catchment of the PSP for sewerage and drainage. It must have reduced impact via:</p> <ul style="list-style-type: none"> • Relocation of secondary school & indoor sports facility • Relocation of local park • Equitable funding of infrastructure and consequential works. 	Y	FUS	See response 50.18	Discuss further impact of location of pu	Further review/discussion