

From: [REDACTED]
Cc: [Alexandrea Malishev](#); [REDACTED]
Subject: PMP Printing Strategic Site - Planning Scheme Amendment C156 - Submission on [REDACTED]
Date: Friday, 30 October 2020 12:58:44 AM
Attachments: [Tabulated comments on provisions - 29.10.2020.pdf](#)

Dear Sir / Madam,

[REDACTED] and their project entity [REDACTED] in relation to the PMP Printing Strategic Site and their land at 209-211 Carinish Road, Clayton [REDACTED]).

This submission is made as an interim submission to the process associated with Amendment C156 noting that it is intended that the matter will be considered by the Victorian Planning Authority (VPA) Standing Advisory Committee (SAC) and that hearings are presently scheduled for Directions on 16 November 2020 and a Hearing the week commencing 14 December 2020. We make these submissions in addition to the recent direct engagement we have been afforded by staff of the VPA.

In conjunction with our client, we have been intimately involved in the strategic planning process which has informed the basis for Amendment C156 to the Monash Planning Scheme. This has included the initial engagement with the then *Metropolitan Planning Authority (MPA)* which was the predecessor of the now *Victorian Planning Authority (VPA)*. On behalf of our client, we initiated the process for recognition of the PMP Printing Strategic Site and the VPA's identification of the strategic opportunity which the precinct offers.

[REDACTED] is at the PMP precinct interface with Carinish Road and returns along the Browns Road alignment. [REDACTED] is the integral land parcel in the precinct and will deliver on the objectives for the urban renewal precinct and in particular the substantial commercial land use and economic benefits that the precinct will deliver for the locality and the Monash City Council.

The delivery of the Clayton PMP renewal precinct is a key initiative and opportunity identified in *Plan Melbourne* and the *Monash NEIC* strategic planning policies. This State level of policy support coupled with the VPA's facilitation role in the delivery of Amendment C156 are initiatives which will enable the realisation of this precinct as a State Significant urban renewal development of great significance to the region and Metropolitan Melbourne.

Accordingly, the delivery of the project warrants special consideration for Responsible Authority Status in our submission. Consideration should be made to the identification of the Minister for Planning as the nominated Responsible Authority for planning permit applications made in accordance with the Comprehensive Development Plan and suite of statutory provisions contemplated by Amendment 156 to the Monash Planning Scheme.

We have had the benefit of being involved through the length of process which has seen the PMP Printing Strategic Site reach this important phase of implementation. Our client is committed to the realisation of a high quality and integrated commercial and residential development which will deliver on the key objectives of the strategic planning vision for the precinct. This is envisioned to include the provision of a full line supermarket, speciality retail premises, commercial office space and a range of residential dwellings including a meaningful contribution of 'affordable housing' which has been a consistent theme in our engagement with the VPA and other key stakeholders.

We have reviewed the suite of documents which inform the proposed amendment and we wish to convey our general satisfaction to the form of the proposed amendment and in the main, the detail of the planning ordinance which have been prepared in support of Amendment C156. We have prepared the attached summary table of comments which we submit for the purpose of outlining our clients general support for the proposed amendment and constructive commentary which is intended to positively influence the form of the statutory controls which will be applied to the [REDACTED] land and the PMP Printing Strategic Site.

We formally request that this submission be registered for the purpose of the foreshadowed SAC

process. Further, we wish to be listed as a party to the VPA Projects Standing Advisory Committee (VPA SAC) as appointed by the Minister for Planning Pursuant to Part 7 of Section 151 of the Planning and Environment Act (1987).

As outlined in the explanatory report that informs amendment C156, we look forward to further contact and engagement with the VPA and key stakeholders through the identified and foreshadowed round table discussions and public hearings. Through these processes we will provide further detail of the matters that are of material interest to our client which are framed in the attached document.

Our client remains committed to the realisation of the PMP Printing Strategic Site and has appreciated the opportunities afforded for engagement to date and the further future engagement to resolve important details which we have raised within this submission and those detailed in the attached document. We do of course seek to retain the opportunity to make more detailed submissions at the appropriate time.

Please contact the undersigned directly in relation to the further conduct of this matter and involvement of the [REDACTED] further consultation and hearings.

Yours faithfully,

[REDACTED]

[REDACTED]

PMP AMENDMENT COMMENTS – 29 OCT 2020

AMENDMENT DOCUMENTS

Comprehensive Development Plan (CDP)

Reference	Issue	Response																				
Plan 1	Representation of streets – ensure flexibility in outcome.	The indicative scheme prepared by JCB demonstrates a preferred development outcome for the site by [REDACTED]. The scheme is largely compliant with the CDP. The scheme proposes cars at perimeter of the site with basement entry from surrounding streets. This achieves a pedestrianised public realm and more green space for its future residents.																				
Plan 1 and R16	Medium value trees retained on plan – conflicts with build to boundary requirements (R13). Unclear justification for this.	Unclear of the strategic justification for retaining these trees. There are 8 medium value on [REDACTED] [REDACTED] – We are obtaining updated arboricultural advice to support the indicative development layout. The controls mandate build to boundary however setting back for TPZ's will compromise this edge condition. Whilst retention of warranted vegetation is an appropriate intention for the CDP, the benefits associated with an integrated and renewed landscape treatment require consideration.																				
R1	<i>Residential uses must be located in the precincts shown on Plan 1 and may be located in the mixed use precincts'</i> Commercial precinct has ability for residential development at level 3 and above – this is acknowledged in the DCP. This requirement creates confusion and alludes to no residential development in the commercial area.	Remove requirement or modify to address necessary flexibility for development to respond to market conditions as required.																				
R2	<i>'Built form in the sub-precincts as shown on Plan 2 must not exceed the maximum height and setbacks contained in Table 1. A planning permit cannot be issued to vary this requirement.'</i> Expressing a requirement as a 'must' has the result of making this a mandatory requirement, in contrast to the height table which has both mandatory and preferred.	Modify to remove mandatory nature of this requirement, where discretionary is allowed for in Table 1.																				
R2	Mandatory 6 level interface treatment – this interface should no longer be deemed as sensitive and will experience a dramatic typology change.	Remove mandatory edge control – noting preferred heights in the Clayton Precinct Plan developed by Monash CC.																				
R7 and R11	<i>'Residential buildings must establish a fine grain pattern of development along the street. Long building sections must be relieved using a combination of varied setbacks, articulation and a diverse materials and finishes palette, as appropriate.'</i> <i>Commercial and mixed-use buildings must establish a fine grain pattern of development along the street. Long extents of buildings must be relieved using a combination of varied setbacks, articulation, materials and colours, as appropriate</i>	Suggest a more appropriate expression rather than fine grain in context of Clayton Precinct Plan developed by Monash CC.																				
Plan 3 Open space	Bioretention system – One option is mandated, however prefer flexibility of outcome. Note that the second option is less cost, but requires less development land, so might become a viable option. Also query if this should be DCP funded.	At permit stage a drainage assessment provided which resolves appropriate WSUD treatment.																				
Table 2 – Open space	<table border="1"> <caption>Table 2: Local open space</caption> <thead> <tr> <th>Local open space</th> <th>Type</th> <th>Hectares</th> <th>% of NDA</th> </tr> </thead> <tbody> <tr> <td>Central Park</td> <td>Local Park</td> <td>0.53</td> <td>6.19%</td> </tr> <tr> <td>Brown Road Park</td> <td>Local Park</td> <td>0.16</td> <td>2.25%</td> </tr> <tr> <td>Town Square</td> <td>Urban Plaza</td> <td>0.17</td> <td>1.87%</td> </tr> <tr> <td>Total Credited Open Space</td> <td></td> <td>0.87</td> <td>10.04%</td> </tr> </tbody> </table>	Local open space	Type	Hectares	% of NDA	Central Park	Local Park	0.53	6.19%	Brown Road Park	Local Park	0.16	2.25%	Town Square	Urban Plaza	0.17	1.87%	Total Credited Open Space		0.87	10.04%	Note: [REDACTED] current sits at less than 10% (6.57%). [REDACTED] preference to extend OS link as identified in previous iterations to inform credit closer to 10%.
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R20	<i>'The design of streets and public areas must be in accordance with the street cross sections shown in section 4 of this CDP, to the satisfaction of the responsible authority'</i>	As above, we seek to ensure that if proposed roads are not required for vehicle movement, that they can be removed or adapted if not required. Pedestrian permeability and links are important we would suggest a guideline that referred to pedestrian links being provided through the site.																				

R26 and R27	<p><i>'All existing above-ground electricity cables on the land or on the same side as the land in an abutting road reserves less than 66kV voltage must be placed underground as part of the upgrade of existing roads.'</i></p> <p><i>'All new electricity supply infrastructure (excluding substations and cables with voltage greater than 66kv) must be provided underground.'</i></p> <p>See East Village edit below:</p> <p><i>"All existing above-ground electricity cables within the precinct boundaries less than 66kV voltage must be placed underground as part of the upgrade of existing roads, if they currently exist in the road reserve of the road to be upgraded"</i></p>	<p>Browns Road and Bendix Drive are not within DCP for road upgrades. This clause should refer to services within precinct boundaries only. These conditions are more relevant in a growth area context.</p> <p>Unlikely to receive authority support, as this will cause major disruption to the network. Modify to reflect East Village suggested amendments.</p>
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Comprehensive Development Zone (CDZ)

Reference	Issue	Response
Section 1	Accommodation in residential area 'as of right' – query why as of right not permitted for mixed use and comm where above permitted levels	As of right above ground in mixed use precinct and level 3 in commercial precinct.
3.0	<p>Affordable Housing</p> <ul style="list-style-type: none"> The delivery of up to ten (10) per cent Affordable Housing by way of one of the following options: <ul style="list-style-type: none"> Transfer of a land parcel or parcels with the capacity to support the development of 10 per cent of the site's total dwellings as Affordable Housing dwellings, to be provided to a Registered Housing Agency at nil consideration; or Sale of four per cent of total dwellings as completed dwellings at a 50 per cent discount to the established market value to a Registered Housing Agency for use as Affordable (rental) Housing; or The gifting of two per cent of total dwellings as Affordable Housing, delivered in the form of completed dwellings gifted to a Registered Housing Agency for use as Affordable (rental) Housing; or Any other model that achieves ten per cent of total dwellings as Affordable Housing for a minimum 15-year period, on the condition that these dwellings are managed through an appropriately regulated management arrangement and the model is subject to the approval of the Responsible Authority. 	Assemble comfortable with current drafting of this requirement.
3.0	Affordable housing S173 trigger at subdivision	This provision should include an exemption for staged lots or super lots created in accordance with CDP.
3.0	<i>'All public open space which is to be provided to the Monash City Council must be finished to a standard that satisfies the requirements of Monash City Council prior to the provision of the public open space, including: - A certificate or statement of environmental audit for the land in accordance with Part IXD of the Environment Protection Act 1970'</i>	Needs to be amended to reflect East Village and the PMP CDP which references both statement and certificate.

Development Contribution Plan (DCP)

Reference	Issue	Response
2.1.1	Triggers review 'at the time of subdivision' may be confusing. Note this is a medium-term requirement so this does not appear to be an item required to be delivered via WIK. Question if Council will deliver these works with funds collected.	Discussion to seek clarity on triggers and timing

OTHER MATTERS

Reference	Issue	Response																
53.01- Open Space	Concerned raised in relation to 'double dip' of land Works in Kind and payment.	Ensure the CDP or CDZ has an equalisation methodology outlined within it.																
<p>21/07/2016 Approved City Council</p> <p>1.0</p> <p>31/07/2016 MC148 Approved City Council</p>	<p>SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION</p> <p>Subdivision and public open space contribution</p> <table border="1"> <thead> <tr> <th>Type or location of subdivision</th> <th>Amount of contribution for public open space</th> </tr> </thead> <tbody> <tr> <td>Dwellings:</td> <td></td> </tr> <tr> <td>3 lots</td> <td>2%</td> </tr> <tr> <td>4 lots</td> <td>3%</td> </tr> <tr> <td>5 lots</td> <td>4%</td> </tr> <tr> <td>6 or more lots</td> <td>5%</td> </tr> <tr> <td>Land shown as CDZZ on the planning scheme maps (PMP Printing Comprehensive Development Plan, August 2019)</td> <td>10%</td> </tr> <tr> <td>Other</td> <td>5%</td> </tr> </tbody> </table>	Type or location of subdivision	Amount of contribution for public open space	Dwellings:		3 lots	2%	4 lots	3%	5 lots	4%	6 or more lots	5%	Land shown as CDZZ on the planning scheme maps (PMP Printing Comprehensive Development Plan, August 2019)	10%	Other	5%	<p>Example:</p> <p><i>In 53.01- Land and/or cash contribution requirements must be in accordance with R82 (Residential) and R83 (Employment) of Section 3.5.2 and Section 3.5.3 in the Wollert Precinct Structure Plan, June 2017</i></p> <p>REQUIREMENTS</p> <p>As per the public open space contribution required by Clause 52.01 of the Whittlesea Planning Scheme, this provision sets out the amount of land to be contributed by each property in the precinct and consequently where a cash contribution is required in lieu of land.</p> <p>All land owners must provide a public open space contribution equal to 3.7% of the Net Developable Area (NDA) upon subdivision of land in accordance with the following:</p> <ul style="list-style-type: none"> Where land is required for unencumbered open space (local parks) as shown on Plan 6 and specified in Table 8 and is equal to 3.7% of NDA that land is to be transferred to Council at no cost. Where land is required or less than 3.7% of NDA is shown Plan 6 and specified in Table 8, as required for unencumbered open space purposes, a cash contribution is to be made to Council to bring the total open space contribution to a value equal to 3.7% of NDA of that site. Where land required for unencumbered open space purposes as shown on Plan 6 and specified in Table 8 is more than 3.7% of NDA, Council will pay an amount equivalent to the value of the additional land being provided by that proposed development. <p>The value of land for equalisation purposes is to be assessed as an equivalent proportion of the value of the whole of the land, in accordance with Section 18 of the Subdivision Act 1988.</p> <p>Amended by C210</p> <p>R82</p>
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